

**Central Administrative Tribunal  
Principal Bench**

**OA-2851/2017**

**New Delhi, this the 16<sup>th</sup> day of May, 2018**

**Hon'ble Mr. Uday Kumar Varma, Member (A)**

Vijay Prakash Shukla,  
S/o Sh. Ram Lal Shukla,  
Aged about 52 years,  
Group B  
R/o H.No. 456, H Block,  
Gali No. 7, Swaroop Nagar, Delhi-110042.  
Mobile Number : 9999415550

School Address:  
Vijay Prakash Shukla,  
TGT (Natural Science),  
Emp No. 20051984  
Govt. Boys Senior Secondary School,  
Libaspur, Delhi-110042.

... Applicant

(through Sh. K. P. Gupta)

Versus

1. Govt. of NCT of Delhi,  
Through its  
Secretary (Education),  
Old Secretariat, Delhi.
2. Director of Education,  
Govt. of NCT of Delhi,  
Directorate of Education  
Old Secretariat, Delhi.
3. Deputy Director of Education,  
Partachar Vidyalaya  
Office of the Deputy Director of Education,  
BL Block, Shalimar Bagh, Delhi-110088.
4. AO/IAO, Audit Party No. V,  
Directorate of Audit,  
Govt. of NCT of Delhi,  
4<sup>th</sup> Floor, C-Wing, Delhi Sectt., New Delhi.
5. Principal/Head of School,  
Rajkiya Pratibha Vikas Vidyalaya,  
BT Block, Shalimar Bagh,  
Delhi – 110088.
6. Principal/Head of School,  
Govt. Boys Senior Secondary School,  
Libas Pur (School ID : 1309262)  
Delhi – 110042.

...

Respondents

(through Sh. Vijay Pandita)

### **ORDER (ORAL)**

At the outset, learned counsel for the respondents wishes to make the following statement:

"The department agrees to the proposal contained in the letter dated 05.04.2018 of Chief Secretary, Govt. of NCT of Delhi to allow the benefit of the order dated 01.09.2017 of the Supreme Court to all those TGTs who were appointed as such prior to or subsequent to 01.01.2006 and their pay may be re-fixed at the level of Entry Pay applicable to TGTs appointed as DRs (direct recruit) on or after 01.01.2006. The re-fixation of pay would take place on 01.01.2006 or the date of appointment as TGT, whichever is later. The financial implication on account of re-fixation of pay will be borne by the GNCTD."

2. Learned counsel for the respondents made a reference to OM dated 16.04.2018 which reads as follows:

"The under signed is directed to refer to D.O. letter No. CC/WPC-8922/2017/LIT/2018/8046, dated April 05, 2018 from Chief Secretary, Government of NCT of Delhi to Secretary (Expenditure) regarding compliance of the order, dated 01.09.2017 in SLP Diary No. 23663/2017 of the Hon'ble Supreme Court of India by issuing appropriate orders for grant of pay scales to Teachers promoted as Trained Graduate Teachers (TGT) on or after 01.01.2006.

2. The department agrees to the proposal contained in the letter dated 05.04.2018 of Chief Secretary, Govt. of NCT of Delhi to allow the benefit of the order dated 01.09.2017 of the Supreme Court to all those TGTs who were appointed as such prior to or subsequent to 01.01.2006 and their pay may be re-fixed at the level of Entry Pay applicable to TGTs appointed as DRs (direct recruit) on or after 01.01.2006. The re-fixation of pay would take place on 01.01.2006 or the date of appointment as TGT, whichever is later. The financial implication on account of re-fixation of pay will be borne by the GNCTD.

This issues with the approval of Joint Secretary (Personnel)."

3. In view of this memorandum, learned counsel for the respondents states that decision in the memorandum covers the relief prayed for by the applicant, i.e., fixation of pay at Rs. 12540 Basic Pay + Rs. 4600/- Grade Pay w.e.f. 01.01.2006 and withdrawal of any recovery order made in this regard.

4. Learned counsel for the applicant at this stage states that he is also seeking further fixation of his pay in the light of 7<sup>th</sup> CPC Recommendations which the counsel for the respondents submits would be taken care of in the normal course.

5. Given the above situation, I find that nothing survives in this OA. The recovery order dated 25.05.2017 as a consequence of respondents counsels' statement on prepage, has become infructuous and so does the OA which is accordingly dismissed.

**(Uday Kumar Varma)**  
**Member (A)**

/ns/