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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7090/2010**

ALKA PAHUJA

..... Petitioner

Through: **Mr. Raj Kumar Sherawat, Adv.**

versus

**SCHOOL MANAGEMENT OF SUKHO KHALSA SR SEC SCHOOL
AND ORS**

..... Respondents

Through: **Ms. Jyoti Singh, Sr. Adv. with Mr.
Bhagwant Singh, Ms. Manpreet Kaur
and Mr. Mansimran Singh, Adv. for
R-1.
Mr. Sanjeev Sabharwal, Adv. for R-3.**

+ **W.P.(C) 626/2011**

S PARAMJEET SINGH

..... Petitioner

Through: **Raj Kumar Sherawat, Adv.**

versus

**SCHOOL MANAGEMENT OF SUKHO KHALSA SR SECONDARY
SCHOOL AND ORS**

..... Respondents

Through: **Ms. Jyoti Singh, Sr. Adv. with Mr.
Bhagwant Singh, Ms. Manpreet Kaur
and Mr. Mansimran Singh, Adv. for
R-1.
Ms. Bandana Shukla, Adv. for Ms.
Ruchi Sindhvani, adv. for R-3.**

+ **W.P.(C) 699/2011**

S DALJIT SINGH

..... Petitioner

Through: **Mr. Raj Kumar Sherawat, Adv.**

W.P.(C) 7090/2010 & conn.

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versus

SCHOOL MANAGER OF SUKHO KHALSA SR SEC SCHOOL AND
ORS Respondents

Through: Ms. Jyoti Singh, Sr. Adv. with Mr.
Bhagwant Singh, Ms. Manpreet Kaur
and Mr. Mansimran Singh, Adv. for
R-1.
Ms. Anjana Gosain, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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02.08.2013

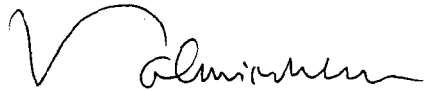
1. Today before me on behalf of the petitioner the limited relief which is prayed is for quashing of the chargesheet dated 15.9.2010 on two grounds. First is that no Disciplinary Committee was constituted in terms of Rule 118 of the Delhi School Education Rules, 1973 before issuing the chargesheet. Second ground is that even if the Disciplinary Committee was constituted, the nominee as per the Disciplinary Committee who issued the chargesheet was the Chairman of the school, and against the Chairman, the chargesheet itself refers to issues which have to be decided and thereby making the Chairman a judge in his own cause.

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2. Learned senior counsel the respondent no.1-school states that so far as the factual averments which are made in the chargesheet are concerned, the respondent no.1-school stands by the same, however, in view of the legal aspects with respect to the jurisdiction of the chargesheet issued, the respondent no.1-school very fairly does not want to prolong this litigation because the departmental proceedings are held up on account of the chargesheet dated 15.9.2010 being stayed by this Court. It is further prayed that the respondent no.1-school in accordance with the law, be now permitted to issue a fresh chargesheet and which the respondent no.1-school proposes to do.

3. In view of the above, the chargesheet dated 15.9.2010 is set aside by giving liberty to respondent no.1 to take action against the petitioner in accordance with the Rules 118 to 120 of the Delhi School Education Act and Rules, 1973 and other provisions if applicable.

4. Writ petitions are disposed of with the aforesaid observations.


VALMIKI J. MEHTA, J

AUGUST 02, 2013

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