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

+ W.P.(C) 1583/2016 & CM No.6836/2016

SUSHMA ARORA Petitioner

Through: Mr.Sarvesh Bisaria, Adv.

versus

GOVT. OF NCT OF DELHI & ORS Respondents

Through: Mr.Devesh Singh, Adv. for R-1 & 2.
Mr.Anil Bhatt, Adv. for R-3 & 4.

CORAM:

HON'BLE MR. JUSTICE V.P.VAISH

ORDER

% **10.03.2016**

The petitioner has filed the present petition under Article 226 of the Constitution of India seeking quashing of charge sheet dated 28.01.2016 issued by the Manager of respondent No.3-school.

Learned counsel for the petitioner submits that charge-sheet issued by respondent No.3 is ex-facie illegal as the same has been issued by the Manager of M.R. Vivekanand Model School, New Delhi who is not authorized to issue the charge-sheet. He further submits that the charge-sheet has been issued in violation of the mandatory provisions of Rule 118 of the Delhi School Education Rules, 1973 which provides that the disciplinary committee in respect of recognized private schools, aided or otherwise shall comprise of the Chairman of the Managing Committee, Manager, Nominee of the Director, the head of the school and a teacher who is a member of the

Managing Committee.

On the other hand, Mr. Anil Bhatt, learned counsel for the respondent Nos. 3 and 4 submits that the provisions of Rule 118 of the Delhi Education Rules, 1973 have been complied with.

During the course of arguments, Mr. Anil Bhatt, learned counsel for the respondent Nos. 3 and 4 submits that respondent Nos. 3 and 4 will withdraw the Memorandum and Statement of Articles of Charge dated 28.01.2016 issued by the Manager and a fresh charge-sheet in terms of Rule 118 of Delhi Education Rules will be issued by the disciplinary committee to the petitioner.

In view of submissions made by learned counsel for respondent Nos. 3 and 4, learned counsel for the petitioner seeks permission to withdraw the present petition as well as application.

As prayed, the petition and application are dismissed as withdrawn.

V.P.VAISH, J

MARCH 10, 2016/gm