

\$~16

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

+ **W.P.(C) 3712/2016 & CM No.15817/2016**

RENU KAPOOR

..... Petitioner

Through : Mr. Puneet Goel, Advocate

versus

VIVEKANAND SHIKASHA SAMITI & ORS Respondents

Through : Mr. Kumar Rajesh Singh, Advocate
for R-3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

%

27.05.2016

1. The present petition has been filed by the petitioner praying *inter alia* for quashing the order dated 9.2.2016 passed by the respondent No.6 on behalf of the respondent No.2 suspending her with immediate effect and further, for directions to the respondents to permit her to join duties in the School and pay her full salary amount.
2. A perusal of the paper book reveals that the petitioner had filed WP(C)No.2167/2016 against the respondents in the month of March, 2016, assailing the order dated 8.2.2016, whereby her application for grant of backwages was rejected by the School management. One day after issuance of the rejection letter dated 8.2.2016, the impugned order came to be passed.

3. Aggrieved by the said order, the petitioner had initially filed a petition before the Delhi School Tribunal, which was dismissed as withdrawn, vide order dated 5.4.2016 with the observation that the Tribunal was not vested with the jurisdiction to deal with the matters of dismissal, removal and rejection in rank of an employee of private schools.

4. It has been enquired from the counsel for the petitioner as to why has the petitioner not taken steps to amend the earlier petition filed by her to avoid multiplicity of litigation, particularly when the petition filed earlier is still at the stage of completion of pleadings.

5. Counsel for the petitioner states that he may be permitted to withdraw the present petition, while reserving the right of the petitioner to file an amendment application in WP(C)No.2167/2016, so that the order dated 9.2.2016 impugned herein can also be impugned in the said petition.

6. Leave, as prayed for, is granted. The petition is dismissed as withdrawn, along with the pending application.

MAY 27, 2016

sk

HIMA KOHLI, J