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

+ **W.P.(C) 10795/2016**

SIMMI KATHPAL

..... Petitioner

Through: **Mr. Ashutosh Dixit, Advocate.**

versus

HANUMAN MANDIR PUBLIC SCHOOL & ORS. Respondents

Through: **Mr. Sanjoy Ghose, Advocate with
Ms. Pratishtha Vij, Advocate for
respondent No.3.**

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **24.11.2016**

1. By this writ petition, the petitioner prays for subsistence allowance during the period of suspension. Counsel for the respondent no.3 has brought the attention of this Court to Rule 116(2) of the Delhi School Education Rules, 1973, and as per which if subsistence allowances are not paid with respect to an employee under suspension, then, the employee can appeal to the Director of Education, who would pass appropriate orders.

2. Since the petitioner has an alternative efficacious remedy in the form of an appeal to the Director of Education against non-grant of subsistence allowance during the period of suspension, this writ petition is

disposed of with liberty to the petitioner to approach the Director of Education, who after hearing the petitioner will pass appropriate orders. In case, petitioner is still dissatisfied, at that stage, petitioner can always approach the Court with appropriate legal proceedings. The Director of Education is directed that the appeal proceedings which would be filed by the petitioner under Rule 116(2) of the Delhi School Education Rules, 1973 be disposed of by the Director of Education within a period of six weeks of the receipt of the same.

3. Writ petition is disposed of in terms of aforesaid observations.

VALMIKI J. MEHTA, J

NOVEMBER 24, 2016

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