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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 10755/2015

ARVIND KUMAR

..... Petitioner

Through: Mr. Raj Kumar Sherawat, Advocate.

versus

SCHOOL MANAGEMENT OF GURU

HARKRISHAN PUBLIC SCHOOL AND ORS. Respondents

Through: Mr. Jasmeet Singh and Mr. Srivats
Kaushal, Advocates for R-1 to 3.
Mr. Devesh Singh, Advocate for R-4.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

% **28.01.2016**

This matter has been posted for initial preliminary hearing. Counsel for the petitioner has, *inter alia*, drawn the attention of this Court to the decisions of this Court in Writ Petition (Civil) No.1199/2006 decided on 28th March, 2008 titled as ***Brij Pal Sharma Vats v. Government of NCT of Delhi and Ors.***; as well as in Writ Petition (Civil) No.8327/2008 decided on 14th July, 2011 titled as ***Gurvinder Singh Saini v. School Management of Guru Harkishan Public School and Ors.***, whereby the affected parties have, in substance, been permitted to approach Director of Education

who would treat the petition as a representation. He points out that the issues raised in that matter were similar to those raised in this petition, i.e., the non-payment of the petitioner's dues in terms of Fourth, Fifth and Sixth Pay Commissions.

Issue notice.

Counsel for the respondents enter appearance and accept notice.

Counsel for respondent Nos. 2 to 4 submits that without prejudice to the stand of his clients on merits, and without admitting any of the allegations that may have been raised by the petitioner against his clients, his clients will have no objections to this matter being examined by the Director of Education on the same lines as in the matter of **Brij Pal Sharma Vats's** (supra) which came to be disposed off on 28th March, 2008. Counsel for the petitioner is also agreeable to this approach.

Under the circumstances, and with the consent of parties, this petition is also disposed off with a direction to respondent No.4-Director of Education to treat this petition as a representation, whilst also permitting all the parties concerned, including the petitioner, to file all further materials in support of their respective stand before him. The Director of Education may thereafter go into the matter and pass a reasoned order within eight weeks from today in terms of the Delhi School Education Act and the law applicable.

It is made clear that this Court has not examined the merits of the matter one way or the other and it would be open to the parties to

raise all grievances before the Director of Education.

The petition is disposed off accordingly.

A copy of this order be given *dasti*.

SUDERSHAN KUMAR MISRA, J

JANUARY 28, 2016

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