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

+ W.P.(C) 801/2017

SUNITA SHARMA

..... Petitioner

Through: Mr. Saurabh Chadda, Advocate.
versus

DIRECTORATE OF EDUCATION

..... Respondent

Through: Mr. Rahul Sharma and Mr. C.K.Bhatt,
Advocates

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **01.02.2017**

CM No. 3720/2017(Exemption)

Exemption allowed subject to just exceptions.

CM stands disposed of.

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1. In the letter dated 7.7.2016 of the respondent no.2-school addressed to the petitioner, the respondent no.2-school has informed the petitioner that petitioner cannot be appointed to the post of PGT (Economics) in view of the rejection of promotion of the petitioner to the post of PGT (Economics) on account of the note of the Director of Education rejecting the appointment of the petitioner to the post of PGT (Economics) by promotion from the post of TGT (Hindi) to be in violation

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of the recruitment rules dated 4.11.1999.

2. Whenever statutory authorities exercise powers under a Statute being the Delhi School Education Act, 1973, and Rules framed thereunder, applicable circulars and guidelines issued by the Director of Education under the Act, the order of the statutory authority being the Director of Education in this case has to be a speaking order giving intelligible reasons. However, the letter of the respondent no.2/school dated 7.7.2016 shows that the note of the Director of Education is extremely cryptic and no reasons are given as to how the recruitment rules dated 4.11.1999 prohibit appointment of the petitioner to the post of PGT (Economics).

3. In view of the above, this writ petition is disposed of by directing the Director of Education to pass a reasoned order giving sufficient reasons as to how and in what manner the recruitment rules dated 4.11.1999 for appointment of PGTs do not permit appointment of the petitioner to the post of PGT (Economics) ie. what aspects are lacking and how are the recruitment rules violated.

4. The Director of Education before passing of the Order will consider the present writ petition with its annexures as representation on behalf of the

petitioner, and which aspects will also be considered by the Director of Education or his nominee while passing a reasoned order. Director of Education will do the needful within a period of two months from today.

5. The writ petition is disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 01, 2017

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