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

+ W.P.(C) 2330/2016 and C.M. No.10812/2016 (stay)

PURSHOTTAM DUTT Petitioner

Through: Mr. M. Padhi, Advocate.

versus

SAVITRI PUBLIC SCHOOL AND ANR Respondents

Through: Mr. Rajesh Goyal, Advocate for
respondent No.1.
Mr. Devvrat, Advocate for respondent
No.2.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **11.01.2017**

1. This writ petition has become infructuous inasmuch as this writ petition challenges the suspension order dated 13.4.2015 and the charge-sheet dated 11.9.2015 but now the disciplinary authority has passed its order dated 17.5.2016 dismissing the petitioner from services and approval of which as per Section 8(2) of the Delhi School Education Act, 1973 is sought from the Director of Education by the respondent no.1/school. If the Director of Education grants approval to the order of the disciplinary authority removing the petitioner, and which approval has to be granted in

view of the recent judgment of the Supreme Court in the case of ***Raj Kumar Vs. Director of Education and Others, (2016) 6 SCC 541*** Civil Appeal No. 1020/2011 decided on 13.4.2016, then, petitioner would be taken as validly removed from services.

2. At this stage, counsel for the petitioner states that this writ petition be disposed of as not pressed with liberty to the petitioner to urge all grounds as stated in the writ petition as also all other grounds available in facts and law in challenge to the order of the disciplinary authority in case the same is approved by the Director of Education.

3. Writ petition is accordingly allowed to be withdrawn with the aforesaid liberty.

VALMIKI J. MEHTA, J

JANUARY 11, 2017
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