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

+ **W.P.(C) 6008/2008**

IVER RAPHAEL MOSS

..... Petitioner

Through: Ms. Indrani Ghosh, Advocate.

versus

DIRECTOR OF EDUCATION & ORS.

..... Respondents

Through: Mr. Rispal Singh, Legal Assistant,
DEO, Zone 23, Distt. South, R.K.
Puram, New Delhi.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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27.01.2017

1. By this writ petition, the petitioner who was an employee of the respondent no.3/school challenges the termination of his services with the school. An employee challenging order of termination of his services with the school has to approach the Delhi School Tribunal (DST) in terms of Section 8(3) of the Delhi School Education Act, 1973 and so held by the Supreme Court in the case of *Shashi Gaur Vs. NCT of Delhi (2001) 10 SCC 445*.

2. Delhi School Education Act and Rules, 1973 also apply to unrecognized private schools in Delhi in terms of the judgment of a Division

Bench of this Court in the case of ***Social Jurist, a Civil Rights Group Vs. GNCT and Ors. 147 (2008) DLT 729.***

3. Instead of dismissing this petition as not maintainable, at the request made on behalf of the petitioner, this petition is treated as an appeal filed before the DST on the date when this petition was filed in this Court and DST will hear and dispose of the appeal in accordance with law after notices being issued to the parties who do not appear before it on the date fixed.

4. Let parties appear before the DST on 27th February, 2017. Registry will ensure that record of this case is available to the DST on the date fixed.

VALMIKI J. MEHTA, J

JANUARY 27, 2017
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