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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 210/2017 & CM Nos. 12311-12/2017

RANJIT SINGH

..... Appellant

Through: Ms. Minal Sehgal and Mr. Harsh
Kumar, Advocates.

Versus

GURU HARKISHAN PUBLIC SCHOOL (NEW DELHI SOCIETY)
& ANR. Respondents

Through: Mr. Jasmeet Singh, Advocate

**CORAM: JUSTICE S.MURALIDHAR
JUSTICE NAJMI WAZIRI**

ORDER

% **10.04.2017**

CM No. 12312/2017 (for exemption)

1. Allowed, subject to all just exceptions.

LPA 210/2017 & CM No. 12311/2017 (for stay)

2. Notice. Mr. Jasmeet Singh, Advocate accepts notice for the Respondents.

3. It is stated by Mr Jasmeet Singh that pursuant to the order dated 17th August, 2015 passed by the Division Bench of this Court in LPA No.359/2013 (*School Management of Guru Harkrishan Public School v. The Director Of Education & Anr.*), the Respondent No.1 School has framed a transfer policy in terms of which the employees working in a particular school would liable to be transferred to such other schools established by them “where to and fro transport is available from the house where the employee resides and the school where the employee is transferred”.

4. It is plain that the learned Single Judge who passed the impugned order did not have the occasion to examine whether the decision taken by the Respondent No.1 was consistent with the above policy.

5. Mr Jasmeet Singh states that the Respondent No.1 will take a fresh decision regarding the transfer of the Petitioner in terms of the aforesaid policy and communicate its decision to the Petitioner in writing within a period of two weeks from today.

6. In that view of the matter, the order dated 7th March 2017 of the Respondent No.1 and the order dated 22nd March 2017 passed by the learned Single Judge are set aside. If the petitioner is aggrieved by the fresh decision taken by the Respondent No.1 School in terms of this order, it will be open to the Petitioner to seek such remedies as are available to the Petitioner in accordance with law.

7. The appeal and the pending application are disposed of.

S.MURALIDHAR, J.

NAJMI WAZIRI, J.

APRIL 10, 2017

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