

\$~218

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

+ W.P.(C) 11379/2017 & CM No. 46429/2017

MRS. SEEMA SHARMA Petitioner

Through: Dr M. Y. Khan, Advocate.

versus

DAV CENTENARY PUBLIC SCHOOL
AND ANR.

..... Respondents

Through: Ms Sana Ansari and Ms Isha Khanna,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **19.12.2017**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“i) Issue a writ of Mandamus or any other appropriate writ, order or directions to the respondent no.1 to withdraw the impugned notice dated 22.11.2017 sent by it to the petitioner by which it is terminating the services of 37 employees who are working with the respondent school last so many years.

ii) Direct the respondent no.2 to take the appropriate action against the respondent no.1 who is terminating the services of 37 employees without assigning any reasons to the petitioner and to the employees, as it is having supervision and administrative control over the affairs of the school as per the provisions of Delhi School Education Act & Rules, 1973.”

2. Essentially, the petitioner is aggrieved by the termination of the Agreement dated 01.07.2017 captioned as “Security & Housekeeping

Agreement” entered into between the petitioner and the respondent. It is seen that the said agreement includes an arbitration clause.

3. The disputes raised by the petitioner are in regard to the termination of the agreement and are, essentially, contractual disputes. In this view, this Court is not inclined to entertain the present petition.

4. It would be open for the petitioner to institute appropriate proceedings for referring the disputes to the arbitration and/or any other appropriate proceedings as may be advised.

5. The petition and the pending application are dismissed with the aforesaid liberty.

VIBHU BAKHRU, J

DECEMBER 19, 2017
MK