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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Judgment: 18.05.2018

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W.P.(C) 2164/2017 & CM APPL. 30580/2017

RAJENDRA PRASAD SHARMA Petitioner

Through: Mr. Pratap Ch. Mishra, Adv.

versus

DIRECTOR EDUCATION AND ORS Respondents

Through: Mr. Santosh Kr. Tripathi, ASC
for GNCTD.

Mr. Kunwar Mahendra Singh, Adv for R-3.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

VINOD GOEL, J. (Oral)

1. Learned counsel for the petitioner submits that he does not press prayer (a) & (b) in the writ petition. However, he restricts the scope of the writ petition to prayer (c) and submits that directions may be issued to respondent No.3 i.e. President-cum-Chairman, Green Field Public School Society, P-11, Naveen Shahdara, Delhi 110032 to review the order of the termination of the petitioner.
2. Admittedly, the petitioner was working in Green Field Public School Society, Ghaziabad (UP) at the time of his termination and his services were terminated on 13.02.1995.

3. The petitioner had earlier challenged his termination in writ petition (c) No.7707/2016 which was dismissed by this Court on 02.09.2016 being hopelessly barred by laches and delay.
4. The services of the petitioner were terminated on 13.02.1995 and the challenge to the termination was already dismissed by this Court on 02.09.2016. Now, there is no justification to direct respondent No.3 to review the order of the termination of the petitioner after more than 23 years. Furthermore, the respondent No.3 is not a State under Article 12 of the Constitution of India and remedy to file the writ petition against the respondent no.3 is not available to the petitioner.
5. The writ petition along with application being CM No.30580/2017 is dismissed.

MAY 18, 2018
"sandeep"

(VINOD GOEL)
JUDGE