

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

Date of Order: April 13, 2018

+ W.P.(C) 3632/2018

SHRI KULDIP SINGH Petitioner

Through: Mr. Shravan Dev, Advocate

Versus

THE DIRECTOR OF EDUCATION, GOVT. OF NCT OF
DELHI. AND ORS. Respondents

Through: Ms. Rachna Srivastava &
Ms. Sudipta Sarkar, Advocates for respondent
No.1

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

1. Petitioner seeks re-employment on the post of Physical Education Teacher (PET). Petitioner claims to have written to respondent-*Directorate of Education* on 20th February, 2018 (*Annexure P-6*) to issue a direction to Managing Committee of respondent-School to allow him to join as PET under the re-employment scheme.

2. Petitioner claims to have made Representation to respondent-School in January, 2018 but to no avail. It is the case of petitioner that respondent-School vide Communication of 7th March, 2018 (*Annexure P-9*) had expressed inability to permit petitioner to join the school under the re-employment scheme, as the female staff members had given their complaint about petitioner's adverse behavior. It is not stated in the Communication of 7th March, 2018 (*Annexure P-9*) as to when complaint from female staff was received and whether respondent-School had the

discretion to refuse grant of re-employment, particularly when respondent –*Directorate of Education* vide order of 22nd August, 2017 (*Annexure P-2*) has approved petitioner's re-employment upon recommendation by respondent-School prior thereto.

3. Since petitioner's Representation of 20th January, 2018 (*Annexure P-5*) has not been responded to, by respondent-School, therefore, it is deemed appropriate to dispose of this petition with direction to respondent-School to effectively consider it and pass a speaking order thereon, within a period of six weeks and its fate be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be. Liberty is granted to petitioner to supplement the Representation of 20th January, 2018 (*Annexure P-5*) to controvert the contents of Communication of 7th March, 2018 (*Annexure P-9*) within two weeks. If supplementary Representation is received, then it be also considered along with Representation of 20th January, 2018 (*Annexure P-5*) within the aforesaid stipulated time.

4. With aforesaid directions, this petition is disposed of.

A copy of this order be given *dasti* to counsel for petitioner.

(SUNIL GAUR)
JUDGE

APRIL 13, 2018

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