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

Date of Order: April 18, 2018

(i) + **W.P.(C) 3815/2018 & C.Ms. 15133-34/2018**

PRAKASH DAGAR ..... Petitioner

Through: Mr. Khagesh B. Jha, Advocate

Versus

RING MIDWAY SENIOR SECONDARY SCHOOL & ORS.

..... Respondents

Through: Mr. Santosh Kumar Tripath, Addl. Standing Counsel for GNCTD (DOE)

(ii) + **W.P.(C) 3816/2018 & C.Ms.15136-37/2018**

SADAKAT ALI ..... Petitioner

Through: Mr. Khagesh B. Jha, Advocate

Versus

RING MIDWAY SENIOR SECONDARY SCHOOL & ORS.

..... Respondents

Through: Ms. Jyoti Taneja, Addl. Standing Counsel for GNCTD (DOE)

(iii) + **W.P.(C) 3836/2018 & C.Ms. 15200-01/2018**

DAYA VATI ..... Petitioner

Through: Mr. Khagesh B. Jha, Advocate

Versus

RING MIDWAY SENIOR SECONDARY SCHOOL & ORS.

..... Respondents

Through: Mr. Jawahar Raja, Addl. Standing Counsel for GNCTD (DOE) & Mr. Chinmay Kanojia, Advocate

(iv) + **W.P.(C) 3837/2018 & C.Ms. 15202-03/2018**

SHASHI RAWAT ..... Petitioner
Through: Mr. Khagesh B. Jha, Advocate

Versus

RING MIDWAY SENIOR SECONDARY SCHOOL & ORS.
..... Respondents
Through: Mr. Santosh Kumar Tripath, Addl. Standing Counsel for GNCTD (DOE)

(v) + **W.P.(C) 3846/2018 & C.Ms. 15230-31/2018**

AMIYA BALA MOHAPATRA ..... Petitioner
Through: Mr. Khagesh B. Jha, Advocate

Versus

RING MIDWAY SENIOR SECONDARY SCHOOL & ORS.
..... Respondents
Through: Mr. Santosh Kumar Tripath, Addl. Standing Counsel for GNCTD (DOE)

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. In the above captioned five petitions, the grievance made is that petitioners are not getting salary since September, 2017 although they were allowed to join the school w.e.f. 1st July, 2017 in view of orders passed by Delhi School Tribunal.

2. With the consent of counsel for the parties, the above captioned five petitions have been heard together and are being decided by this common order.

3. Learned counsel for petitioners submits that petitioners had been requesting the school Principal to give time table to petitioners to teach but petitioners have not been allowed to teach in respondent-School although their attendance is being marked in the attendance register. Learned counsel for petitioners submits that an application was made by twelve teachers, including petitioners to respondent- *Directorate of Education* on 7th November, 2017 *(Annexure- D)* and an inquiry was conducted by respondent- *Directorate of Education*. Attention of this Court is drawn to Inquiry Report of 6th January, 2018 *(Annexure-E)*, which reveals that physical inspection of respondent-School was done by the Inquiry Team on 22nd December, 2017 and the finding of the Inquiry Report *(Annexure-E)* is that the Chairman, Manager and the school authority did not cooperate with the Inquiry Team and did not produce the required financial record for inspection, even though ample time was given to produce the records. To say the least, Inquiry Report *(Annexure-E)* is inconclusive.

4. In such like cases, like the instant one, respondent- *Directorate of Education* ought to promptly act under Sub-Section 4 of Section 24 of *Delhi School Education Act and Rules, 1973*. Before such a course is adopted, it would be appropriate if petitioners make a concise Representation to third respondent on the subject matter of these petitions within a week. If it is so done, then third respondent shall effectively consider the said Representation and pass a speaking order thereon within a period of three weeks. The fate of the Representation be conveyed to petitioners within a week thereafter, so that petitioners may avail of the remedies, as available in law, if need be. Till it is so done, respondent-

Directorate of Education shall promptly act under Sub-Section 4 of Section 24 of *Delhi School Education Act and Rules, 1973*, but after giving an opportunity of hearing to the third respondent. The outcome of action taken by respondent *–Directorate of Education* be intimated to petitioners within six weeks.

5. With aforesaid directions, above captioned five petitions and pending applications are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

APRIL 18, 2018
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