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

+ W.P.(C) 3998/2016 & CM No. 29187/2017

MANISH AGGARWAL

..... Petitioner

Through: Mr Puneet Goel and Mr Ajay Goel
and Ms Ritika Gupta, Advocates.

versus

CENTRAL VIGILANCE COMMISSION
& ORS

..... Respondents

Through: Ms Tatini Basu, Advocate for R-1/CVC.

Mr Gautam Narayan, ASC, GNCTD
for R-2 and R-3 with Ms Mahamaya
Chatterjee and Ms Shivani Vij,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.12.2018

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

“a. direct the respondents no.1 to 3 to consider the complaints dated 12.12.2014, 28-07-2015 and 28.03.2016 and after concluding the thorough enquiry, pass a speaking order in accordance with law in the light of provision made in Central Vigilance Commission Act, 2003, vigilance manuals and service rules and further direct the respondents no.1 to 3 to provide a copy of complete enquiry report to the petitioner, in the interest of justice.

b direct the respondents No. 1 to 3 to hold enquiry or investigation on the complaints dated 12.12.2014, 28.07.2015

and 28.03.2016 and after concluding the enquiry /investigation preferably within the period of 3 months, duly provide a copy of complete enquiry/investigation report to the petitioner, in the interest of justice.”

2. It is the petitioner’s case that a team from the Education Department had conducted inspection of the DAV Public School, Srestha Vihar Branch, Delhi-110092 in terms of Section 24 of Delhi School Education Act, 1973. It is alleged that the said inspection had revealed manipulation of records, diversion of funds and gross irregularities. The petitioner states that based on the aforesaid inspection report, a show cause notice dated 27.02.2009 was issued to the management of the school. It is his allegation that the said show cause notice was not proceeded with further and no further steps were taken against the persons responsible for the matters reported by the Inspection team. It is alleged that further action was abandoned on account of the influence exerted by the management of the school in question. This has led the petitioner to make certain complaints including to the Central Vigilance Commission (CVC).

3. The CVC has forwarded the complaints to the Directorate of Education (DoE).

4. Mr Gautam Narayan, learned counsel appearing for respondent nos.2 and 3 states that the petitioner has no locus to file the present petition as he has no personal interest and this present petition is not styled as public interest litigation. Notwithstanding the same, he states that the complaints made by the petitioner are being enquired into and he has instructions to state that a reasoned order would be passed within a period of four weeks from today.

5. The CVC has examined the said complaints and in terms of its complaint handling policy had forwarded the same to respondent no.3 to take appropriate action in this regard. As is clear from the statement made on behalf of respondent nos.2 and 3, the said complaints are being enquired into and appropriate action would be taken, if so warranted, in accordance with law.

6. In view of the aforesaid statement, no further orders are required to be passed in this petition. The petition is, accordingly, disposed of. The pending application is also disposed of.

DECEMBER 03, 2018
MK

VIBHU BAKHRU, J