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

+ **LPA 321/2018**

K M YADAV

..... Appellant

Through Mr. Sanjeev Ralli, Advocate

versus

**MANAGEMENT OF JHABBAN LAL DAV SR SECONDARY
PUBLIC SCHOOL & ANR.**

..... Respondents

Through Mr. Anurag Lakhotia and Mr. Vivek
Chauhan, Advocates for R-1
Mrs. Avnish Ahlawat, Standing
Counsel for R-2

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

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26.08.2020

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

CM APPL. 20482/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908, has been filed on behalf of the applicant/respondent No. 1 seeking exemption from filing certified and fair typed copies of annexures in support of the accompanying application.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/respondent No. 1 is allowed to file the certified and fair typed copies of annexures within a period of one week from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

CM APPL. 20536/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908, has been filed on behalf of the applicant/respondent No. 1 seeking exemption from filing duly attested affidavits in support of the accompanying applications.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/respondent No. 1 is allowed to file the duly signed and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

CM APPL. 20481/2020 (Direction)

The present application has been instituted on behalf of the Management of Jhabban Lal Dav Senior Secondary Public School/ respondent No.1 herein, the original petitioner in W.P.(C) No. 10900/2016,

titled as '*Management of Jhabban Lal Dav Senior Secondary Public School vs. K.M. Yadav & Anr.*', praying as follows:

- “a) the Directorate of Education (Respondent No.2) may kindly be directed to decide upon the approval application as filed by the Respondent concerned before the date of retirement of the Appellant i.e. 31.08.2020;
- b) in any case, the right of the Respondent School be kindly secured to take disciplinary action even after the date of the retirement of the Appellant concerned, with retrospective date;
- c) any other or further order which this Hon'ble Court may deem just and equitable in the facts and circumstances of the case, may kindly be passed.”

Issue notice.

Mr. Sanjeev Ralli, learned counsel accepts notice on behalf of the non-applicant/appellant herein. Mrs. Avnish Ahlawat, learned Standing Counsel accepts notice on behalf of the Directorate of Education, the respondent No.2 herein.

Mrs. Avnish Ahlawat, learned Standing Counsel appearing on behalf of the Directorate of Education/respondent No.2 prays for and is granted time to obtain instructions *qua* the reliefs prayed for in the present application.

Learned counsel appearing on behalf of the applicant/respondent No.1 is directed to transmit another electronic copy of the present application to Mrs. Avnish Ahlawat, learned Standing Counsel appearing

on behalf of the Directorate of Education, during the course of the day today.

List on 28.08.2020.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

AUGUST 26, 2020 */dn/rs*

[Click here to check corrigendum, if any](#)