

\$~60

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

+ **W.P.(C) 5870/2012 & CM APPL. 46812/2018**

NARENDER KUMAR BHATT Petitioner
Through : **Mr. Anil Kumar, Mr. Abhimanyu
Sharma, Advocates.**

versus

**SCHOOL MANAGEMENT OF G.H.P.S. ,
FATEH NAGAR AND ORS** Respondents
Through : **Mr. Jasmeet Singh, Mr. Aditya
Madaan, Advocates.**

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
ORDER
% **12.11.2018**

1. Vide the present writ petition, the petitioners have challenged the transfer/office order bearing No. 8361/11-13 dated 06.08.2012, whereby the petitioner was transferred from one school to another school.
2. It is pertinent to mention here that vide order dated 13.02.2018, the present petition was dismissed in default and the interim order dated 18.09.2012 was vacated. Thereafter, on filing of the restoration application, this writ petition was revived at its original number vide order dated 07.09.2018 and was directed to be listed for 30.01.2019.

W.P.(C) 5870/2012

Page 1 of 3

3. The issue in the present petition is transfer from one school to another school, managed by the same Management Committee.
4. A similar issue came up for consideration before this court in **LPA 379/2015** titled **Varinder Kaur v. School Management of Guru Harikrishan Public School & Ors.** decided by the Division Bench of this Court on 12.02.2018, which view was also followed by this court in **W.P.(C) 6460/2015** titled **Baljeet Singh v. School Management of Guru Harikrishan Public School & Ors.** decided on 23.08.2018, whereby, it was opined that the transfer can be made from one school to another school, if both the schools are run/managed by the same Management Committee/Society.
5. In the present case also, both the schools i.e. the transferor school and the transferee school are managed by the same Management Committee.
6. Learned counsel for the petitioner submits that the transfer order in question may affect the seniority of the petitioner.
7. Learned counsel appearing on behalf of respondents vehemently opposes the same and states, at bar, that there is a common seniority list of all Guru Harkrishan Public Schools managed by the same Management Committee and, therefore, the seniority of the petitioner shall not in any way, be affected by the transfer order.
8. In view of above, the present writ petition is accordingly, disposed of, by directing the respondents to allow the petitioner to join the transferee school tomorrow.
9. Accordingly, the petitioner shall report to the transferee school at 7 a.m. on 13.11.2018.

10. This writ petition is accordingly, disposed of, with the above directions.
11. A copy of this order be given *dasti* under the signatures of the Court Master.
12. The date already fixed in the matter earlier, stands cancelled.

SURESH KUMAR KAIT, J

NOVEMBER 12, 2018

j