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IN THE HIGH COURT OF DELHI AT NEW DELHI
LPA 341/2018

SHELLY BHUTANI

..... Appellant

Through: Mr Khagesh B. Jha, Adv

versus

MAHARAJA AGARSAIN EDUCATIONAL SOCIETY & ORS

..... Respondents

Through: Mr Kamal Gupta, Adv for R-1&2
Mr Santosh Kumar Tripathi, ASC,
GNCTD with Mr Gaurav Dhingra, Adv
for DOE

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **04.07.2018**

CAV 576/2018

Learned counsel for respondent Nos. 1 & 2/caveator enters appearance.

Caveat stands discharged.

CM Nos. 25259-60/2018 (exemption)

Exemptions are allowed subject to all just exceptions.

Applications stand disposed of.

LPA 341/2018 and CM No. 25258/2018

The present appeal is directed against the order dated 31.05.2018 passed by the learned Single Judge whereby the writ petition filed by the appellant herein has been dismissed on the ground that the jurisdiction lies with the Delhi School Tribunal. Learned counsel for the appellant submits that the appellant was promoted to the post of Vice-Principal in the year 2008, however, the resolution by which she was promoted has been

withdrawn by the Society which does not have the power and authority, as the same lies with the School Management Committee.

After some hearing in the matter, the counsel for the appellant submits that he would approach Delhi School Tribunal within three days. However, he apprehends that the respondents would unnecessarily delay the hearing of the matter before the Tribunal. The counsels who appear on advance copy submit that the allegation is unfounded. In case an advance copy is supplied and the date of hearing is informed, the respondent Nos. 1 and 2 would appear in the matter before the Tribunal.

In view of the stand taken by the learned counsels for the parties, in case the appellant approaches the Delhi School Tribunal, the Tribunal shall hear and dispose of the application for interim relief within one month of filing of the appeal as the counsel submits that the room of the appellant has been locked by the School authorities and he is also praying for release of other benefits as well.

With these directions, the LPA and all pending applications are disposed of. Leave granted as prayed to seek such remedy as available in accordance with law with regard to prayer B & C of the writ petition.

Copy of the order be given *dasti* under the signatures of Court Master.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 04, 2018

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