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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Order : March 23, 2018

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W.P.(C) 5942/2017 & CM No.7443/2018

NEELAM SHARMA

..... Petitioner

Through: Mr.Naresh Sharma, Advocate

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Santosh Kumar Tripathi, ASC (GNCTD)
with Mr.Shashank Tiwari, Advocate for
DOE
Mr.V.S.R.Krishna and Mr.V.Shashank
Kumar, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

1. Quashing of suspension order of 15th October, 2016 is sought by petitioner on the ground that there is no prior approval from respondent- *Directorate of Education* to suspend petitioner. It is brought to the notice of this Court that a charge sheet has been served upon petitioner on 30th December, 2016 to which petitioner has duly responded. It is matter of record that petitioner has retired on 30th October, 2017. Learned counsel for petitioner submits that petitioner's claim for grant of Assured Career Progression also survives.

2. Upon hearing, this Court is of the considered opinion that petitioner

ought to make a representation in this regard to third respondent within a week. If it is so done, then third respondent has to take a call as to whether to continue with the inquiry or to drop it and as to how the period of suspension is to be treated. Let the third respondent take a conscious decision on the aforesaid aspects within a period of six weeks and petitioner be intimated about it within two weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be.

3. With aforesaid directions, this petition and application is disposed of.

4. *Dasti.*

(SUNIL GAUR)
JUDGE

MARCH 23, 2018

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