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

*Date of Decision: 26.07.2019*

+ W.P.(C) 10920/2018

AMIT YADAV

..... Petitioner

Through: Ms. Saloni Nagoria, Adv.

versus

THE SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondent

Through: Mr. Tushar Sannu, Standing Counsel  
with Mr. Mohit Dagar, Adv. for R-1

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE C.HARI SHANKAR**

**JUDGMENT**

**D.N. PATEL, CHIEF JUSTICE (ORAL)**

1. This writ petition has been treated as public interest litigation upon the statement of this writ petitioner for the following prayers:

*“A. A writ order or direction in the nature of Quo Warranto be issued calling upon the respondents to explain how Ms.Nirmala (Teacher Primary School Mahavir Enclave Delhi) was bestowed the Best Teacher Award for the academic session 2016-2017 for the Nazafgarh Zone;*

*B. An appropriate writ order or direction in the nature of mandamus be issued against the respondents calling for the records of the case and the respondents be directed to revoke the Best Teacher Award for the Nazafgarh Zone given to*

*Ms.Nirmala (Teacher Primary School Mahavir Enclave Delhi) was bestowed the Best Teacher Award for the academic session 2016-2017 or in the alternative the award dated 02-03-2017 for being the Best Teacher for the Nazafgarh Zone given to Ms.Nirmala (Teacher Primary School Mahavir Enclave Delhi) be quashed forthwith;*

*C. A writ, order or direction in the nature of mandamus be issued against the respondents calling upon them to formulate a rational policy for giving away the Best Teachers awards and lay down clear guidelines for the same.*

*D. To issue any other such order or direction which Your Lordships may deem fit and proper under the circumstances of the case;*

*E. Costs of the present petition be also awarded to the petitioner.”*

2. This petitioner was a teacher at Primary School Mahavir Enclave, Uttam Nagar, Delhi. Looking to the prayer of this petitioner, we see no reason to entertain this writ petition mainly for the following grounds:

- a) All canons of allegations are against the awarded teacher namely Ms.Nirmala, who is a teacher of a primary school Mahavir Enclave, Uttam Nagar and she is not a party respondent in this writ petition.
- b) This is absolutely a private interest litigation against another teacher, namely Ms. Nirmala.
- c) Best Teacher Award has been given to Ms. Nirmala. Looking to the prayer B for which lot of grievances have been ventilated by the petitioner, nothing could be pointed out by the counsel for petitioner that what is the illegality in grant of this award.
- d) Even otherwise also, this writ petition cannot be treated as public interest litigation because this petitioner wanted to apply

for the zonal awards but they have missed the bus or the boat because of the last date was not known to them. Originally, the last date for preferring such application was 15.08.2016 and it was contended by the counsel for petitioner that it was extended to 31.01.2017 else they could not apply for zonal award against a person who has got a zonal award hence this writ petition cannot be treated as public interest litigation.

- e) The Best Teacher Award given to Ms. Nirmala cannot be withdrawn by this Court while exercising power under Article 226 of the Constitution of India.

3. Hence, for the aforesaid reasons, we dismiss this writ petition with costs of Rs.10,000/- (Rupees ten thousand). This amount will be deposited in the Bank Account No.15530110000359, Registrar General Account, Juvenile Justice Centre SB, UCO Bank, Delhi High Court, New Delhi either by cheque or bank draft, within a period of six weeks from today, towards Juvenile Justice Fund. This amount shall be utilised for the welfare of the juveniles.

4. If this amount is not deposited within a period of six weeks, we hereby direct respondent No.2 to deduct Rs.2,000/- per month from the salary of this petitioner and amount be deposited in the Juvenile Justice Fund.

5. A copy of this order will be sent to the Member Secretary, Delhi State Legal Services Authority, Central Office, Patiala House Courts Complex, New Delhi – 110001.

6. With the aforesaid observation, this writ petition is hereby disposed of.

**CHIEF JUSTICE**

**C.HARI SHANKAR, J**

**JULY 26, 2019**

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