

#2

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 14.08.2020

LPA 205/2020

GEETANJALI KAUR

.....Appellant

versus

DIRECTOR OF EDUCATION & ORS

.....Respondents

Advocates who appeared in this case:

For the Appellant

: Mr. Hari Shanker, Advocate

For the Respondents

: Ms. Ruchira Gupta, Advocate for R-1

Mr. Jasmeet Singh, Advocate for R-2, 3 and 4

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

JUDGMENT

SIDDHARTH MRIDUL, J. (via Video Conferencing)

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

CM APPL.19036/2020 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

LPA 205/2020 & CM APPL.19035/2020 (Stay)

1. The present Letters Patent Appeal under Section 10 (1) of the Delhi High Court Act and Clause 15 of Letters and Patent, instituted on behalf of the appellant, prays as follows:

“It is therefore most respectfully prayed that this Hon’ble Court may kindly be pleased to allow the appeal and set aside the impugned order dated 24.07.2020 passed in W.P. (C) 4392/2020 titled as ‘*Geetanjali Kaur vs. DOE and Ors.*’ passed by the learned Single Judge in view of the above said facts, circumstances and submissions in interest of justice.”

2. Although, the present Letters Patent Appeal assails the interim order dated 24.07.2020 passed by the learned Single Judge of this Hon’ble Court in W.P. (C) 4392/2020 titled as ‘*Geetanjali Kaur vs. Directorate of Education Through Secretary and Ors.*’ on the ground that the petitioner’s transfer from the school, where she was hitherto working, to the Office of Delhi Sikh Gurudwara Management Committee, Gurudwara Rakabh Ganj, Delhi (for short ‘the Committee’)—which it is asseverated amounted to termination—is contrary to the decisions of this Court and, therefore, irregular; Mr. Hari Shanker, learned counsel appearing on behalf of the appellant

limits the relief in this appeal to a direction to the respondent No.2, namely, School Management of Guru Harkrishan Public School to pay her salary in terms of the directions issued by the learned Single Judge vide the impugned order dated 24.07.2020, which has not been paid for the months of June and July 2020, within one week from today, subject to the appellant reporting to the Office of the Committee on 17.08.2020 at 11:00 am.

3. Having heard learned counsel appearing on behalf of the parties, it is directed that subject to the appellant reporting to the Office of the Committee, as afore-mentioned, the respondent No.2 shall pay her salary for the months of June and July 2020, in accord with the salary drawn by her in the month of May, 2020.

4. The appellant is at liberty thereafter, to apply to the respondent No.4, namely, Delhi Sikh Gurudwara Management Committee to seek medical leave, in view of her stated indisposition, which shall be considered by the latter, in accordance with the rules, expeditiously.

5. The above order is without prejudice to the rights and contentions of the parties.

6. No further directions are called for.

7. With the above direction, the appeal is accordingly disposed of.

The pending application also stands disposed of.

8. Needless to state that, we have not expressed any opinion on the merits of this case.

9. A copy of this judgment be provided electronically to learned counsel appearing on behalf of both the parties and be uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL
(JUDGE)

TALWANT SINGH
(JUDGE)

AUGUST 14, 2020

dn/as

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