

\$~97

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

% *Date of Decision: 13<sup>th</sup> February, 2023*

+ W.P.(C) 649/2023 & CM APPL. 3269/2023

ANJU CHELLANI ..... Petitioner  
Through: Ms. Indrani Ghosh, Advocate  
versus

MANAGING COMMITTEE GREEN FIELDS SCHOOL  
THROUGH ITS MANAGER & ORS.

..... Respondents  
Through: Mr. Kamal Gupta, Mr. Sparsh  
Aggarwal and Ms. Paridhi Bist, Advocates  
for R-1, 3 and 4.  
Mr. Gaurav Dhingra, Advocate for R-5.

**CORAM:**  
**HON'BLE MS. JUSTICE JYOTI SINGH**

**JUDGEMENT**

**JYOTI SINGH, J. (ORAL)**

1. Present writ petition has been filed by the Petitioner seeking the following reliefs:-

*“(a) Issue a writ, order or direction in the nature of mandamus directing the Respondent No.2 Inquiry Officer to permit the Petitioner to cross examine the Management witness No. 1 Sh. Sabu Sebastian, since the documents (eight/Nine ad hoc appointment letters issued to the Petitioner) have already been placed on Inquiry Record on 18/07/2022 by Respondent No.4 Manager on behalf of the Disciplinary Committee;*

*(b) Consequently, issue a writ, order or direction in the nature of certiorari to quash the Order sheet dated 17/01/2023 to the extent it disallows the Petitioner to cross examine the Management witness No.1 on the basis of documents (eight/Nine ad hoc appointment letters issued to the Petitioner) which have already been placed on Inquiry Record on 18/07/2022 by Respondent No.4 Manager on behalf of the Disciplinary Committee.”*

2. On the last date of hearing, Mr. Kamal Gupta, learned counsel appearing on behalf of Respondents No.1, 3 and 4 had sought time to

take instructions in the matter. Mr. Gupta, on instructions, submits that the Presenting Officer shall not raise any objection if the Petitioner desires to cross-examine the Management witness No.1 on the eight/nine appointment letters i.e. the documents which are the subject matter of the present writ petition. He, however, further submits that the enquiry proceedings have already been prolonged and 37 hearings have taken place and therefore, it is in the interest of the parties that the enquiry proceedings are concluded at the earliest.

3. In view of the aforesaid, Petitioner is at liberty to cross-examine MW-1 with respect to the appointment letters in respect of which the present writ petition has been filed, if so advised. Statement on behalf of the Presenting Officer that he shall not object to the cross examination, is taken on record.

4. Ms. Indrani Ghosh, learned counsel appearing on behalf of the Petitioner, on instructions, submits that ground (D) of the writ petition, wherein certain derogatory words have been used against the Enquiry Officer be treated as withdrawn.

5. The writ petition is accordingly disposed of, with the hope and expectation that the enquiry proceedings shall be completed at the earliest and the parties shall not take unnecessary adjournments and will render complete cooperation in conclusion of the proceedings. Pending application is also disposed of.

**JYOTI SINGH, J**

**FEBRUARY 13, 2023/kks/shivam**