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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 23/2024 & CM APPL. 1174/2024 -Stay.

UMESH KUMAR TYAGI

..... Appellant

Through: Mr. Anuj Aggarwal, Ms. Shreya
Kukreti, Mr. Sidarth and Mr. Manas Verma, Advs.

versus

DAV PUBLIC SCHOOL & ORS.

..... Respondents

Through: Mr. Umakant Mishra and Mr. Ashok
Kumar, Advs. for R-5 & 6.

Ms. Anshula L. Bakhru, Adv. for R-5 & 6

Mr. Yeeshu Jain, Standing Counsel with Ms Jyoti
Tyagi and Ms. Manisha, Advs. for R-7.

Mr. Peeyoosh Kalra, Mr. Yashwant S. Baghel and
Mr Rohan J. Kapoor, Advs. for R-1 to R-4 and 8 &
9.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

16.01.2024

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1. The present Letters Patent Appeal under Clause X of the Letters Patent Appeal seeks to assail order dated 12.12.2023 passed by learned Single Judge in W.P(C) No. 15916/2023 insofar as it does not grant stay of the chargesheet and disciplinary proceedings initiated against the appellant.
2. Pursuant to notice being issued, Mr. Peeyoosh Kalra enters appearance on behalf of respondent nos. 1 to 4 and 8 & 9 and submits that a five member disciplinary committee including a member from



the SDMC was duly constituted on 22.03.2023. It is on the basis of the decision taken by the said committee that Mrs. Ira Khanna, Manager of the school was authorised to issue a chargesheet to the appellant.

3. In the light of this stand taken by the respondents, learned counsel for the appellant, while denying the aforesaid averments, seeks leave to withdraw the appeal with liberty to take all available grounds before the learned Single Judge to assail the validity of the impugned chargesheet itself.
4. The appeal is, accordingly, dismissed as not pressed with liberty, as prayed for.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

JANUARY 16, 2024
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