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

+ **W.P.(C) 12071/2024**

HARSHPAL SINGH NEGI

.....Petitioner

Through: Mr. Khagesh B. Jha and Ms. Shikha
Sharma Bagga, Advocates.

versus

**ST. MARY'S SCHOOL SAFDARJUNG ENCLAVE
AND ORS**

.....Respondents

Through: Mr. Romy Chacko, Sr. Advocate with
Mr. Ashwin Romy, Mr. Akshat Singh, Mr. Joe
Sebastian and Mr. Sachin Singh Dalal, Advocates
for R1 and R2.

Mr. Gaurav Dhingra and Mr. Shashank Singh,
Advocates for R3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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27.09.2024

REV.PET. 345/2024 and CM APPL. Nos. 55328/2024 and 55989/2024

1. This Review Petition has been preferred on behalf of the Petitioner seeking review of the order dated 03.09.2024 and also seeking restoration of the writ petition on the ground that a wrong statement was made by the School that the order terminating the services of the Petitioner has been passed whereas no such order was passed on the date when the statement was made.

2. Mr. Romy Chacko, learned Senior Counsel appearing on behalf of the Respondent/School has placed on record, minutes of the Disciplinary Committee's Meeting dated 20.08.2024, which shows that after examination and deliberation on the matter and in the presence of Ms. Anju Chawla,



Deputy Director of Education, Zone-23, the Director's nominee, the Disciplinary Committee proposed imposition of a major penalty on the Petitioner and had requested the matter to be placed before the Managing Committee for its comments and ratifications. Mr. Chacko submits that the matter was thereafter placed before the Managing Committee and the minutes were ratified by the said Committee and thereafter an order of removal from service of the Petitioner has been passed on 03.09.2024 and communicated to the Petitioner.

3. Since decision was taken on 20.08.2024 by the Disciplinary Committee to terminate the services of the Petitioner, writ petition was disposed of granting liberty to the Petitioner to approach the Delhi School Tribunal which has the jurisdiction to adjudicate upon the legality of termination of the Petitioner. There is some dispute today as to whether the proposal of the Disciplinary Committee can be considered as final order of termination but in my view it is not necessary to enter into this issue for the reason that the Petitioner stands terminated on 03.09.2024 after the Managing Committee has approved his removal from service. Therefore, this Court cannot entertain the writ petition and Petitioner will have to take recourse to appropriate proceedings before the DST. In these circumstances, no purpose will be achieved in recalling the order dated 03.09.2024.

4. Review Petition is accordingly dismissed. Pending applications also stand disposed of.

JYOTI SINGH, J

SEPTEMBER 27, 2024/jg/shivam