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

+ W.P.(C) 6381/2025
APARNA TREHAN

.....Petitioner

Through: Mr. Santosh Kr. Tripathi, Senior
Advocate with Mr. Udit Malik &
Mr. Rishabh Srivastava,
Advocates.

versus

DIRECTORATE OF EDUCATION & ORS.Respondents

Through: Mr. Gaurav Dhingra & Mr.
Shashank Singh, Advocates for
DoE.
Mr. Kamal Gupta & Mr. Sparsh
Aggarwal, Advocates for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2025**

CM APPL. 29147/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 6381/2025 & CM APPL. 29146/2025

1. The petitioner, who claims to be a former Headmistress in the respondent No. 2-Mahavir Junior Model School ["School"], has filed this petition under Article 226 of the Constitution, challenging an order dated 17.02.2025, by which the School has terminated her services.

2. Mr. Gaurav Dhingra, learned counsel for respondent No. 1, and Mr. Kamal Gupta, learned counsel for the School, appear on advance notice. Learned counsel for the respondents raise a preliminary objection



that the impugned order is appealable before the Delhi School Tribunal [“Tribunal”] under Section 8(3) of Delhi School Education Act, 1973.

3. While the amenability of the impugned order to appeal is not disputed, Mr. Santosh Kr. Tripathi, learned Senior Advocate for the petitioner, submits the petitioner’s grievances are primarily legal in nature, relating to the constitution of the Disciplinary Action Committee [“DAC”] and compliance with the rules of natural justice. He, therefore, submits that the Court may entertain the petition under Article 226 of the Constitution.

4. Having regard to the fact that the order is admittedly appealable, I am of the view that the petitioner should be relegated to her remedies before the Tribunal. The grounds with regard to constitution of DAC, and compliance with the procedure prescribed by law are all capable of adjudication by the Tribunal.

5. The writ petition is, therefore, disposed of, with liberty to the petitioner to avail the appellate remedy provided by the statute.

6. The rights and contentions of the parties on all points of facts and law are left open.

7. The petitioner may move the Tribunal for expeditious consideration of her application for interim relief, and the Tribunal is requested to consider the said request, as expeditiously as convenient to it.

PRATEEK JALAN, J

MAY 14, 2025

‘pv’/AD/