
(2011) 05 DEL CK 0083

Delhi High Court

Case No: Writ Petition (C) No. 4869 of 2010

T.P. Singh

APPELLANT

Vs

Delhi Sikh Gurudwara
Management
Committee and Others

RESPONDENT

Date of Decision: May 5, 2011

Hon'ble Judges: Rajiv Sahai Endlaw, J

Bench: Single Bench

Advocate: Rajkumar Sherawat, for the Appellant; Manpreet Kaur Bhasin, for R-1 and R-2, Reeta Kaul and S. Khatri for R-3 and T.C. Vats, for DEO, Zone-14, for the Respondent

Judgement

Rajiv Sahai Endlaw, J.

The Petitioner working as a teacher with the Respondent No. 2 Guru Harkishan Public School, Fateh Nagar, Delhi has preferred this petition impugning the Office Order dated 28th June, 2010 of the Respondent No. 1 Delhi Sikh Gurdwara Management Committee of transfer of the Petitioner from Guru Harkishan Public School, Fateh Nagar, Delhi to Guru Harkishan Public School, Loni Road. Notice of the petition was issued and the operation of the order dated 28th June, 2010 stayed. A counter affidavit has been filed by the Respondent No. 3 Directorate of Education inter alia stating that they are not involved in any way with the transfer order.

2. The counsel for the Petitioner and the counsel for the Respondents No. 1 and 2 have invited attention to the judgment dated 20th April, 2011 in WP(C)971/2011 filed by the Petitioner alongwith some other teachers also working in Guru Harkishan Public School, Fateh Nagar, Delhi. In the said judgment it was recorded that the Directorate of Education had vide order dated 11th April, 2011 de-recognized Guru Harkishan Public School, Fateh Nagar, Delhi.

3. The counsels have also invited attention to the orders dated 19th April, 2011 and 25th April, 2011 in WP (C) 12892/2005 titled Meher Bala Malik v. Delhi Sikh Gurudwara

Management Committee and certain other connected writ petitions. The said writ petitions had also been filed by the teachers of Guru Harkishan Public Schools at Fateh Nagar, Nanak Piao and Tilak Nagar impugning the orders of their transfer from one school to another. In fact while granting the interim relief in the present petition, mention was made of the interim orders in some of the said petitions. Those writ petitions were disposed of inter alia with the direction that transfers inter se the various Guru Harkishan Public Schools in Delhi will be permitted only after seniority list of all the teachers of all the Guru Harkishan Public Schools in Delhi is finalized as mentioned therein and after ensuring that none of the teachers/employees transferred suffer any prejudice in terms of employment and emoluments etc. on transfer.

4. The counsel for the Petitioner and the counsel for the Respondents No. 1 and 2 states that the present writ petition be also disposed of similarly.

5. Accordingly, this writ petition is disposed of with the direction that the Petitioner shall not be transferred save in accordance with the procedure laid down in orders dated 19th April, 2011 and 25th April, 2011 in Meher Bala Malik (supra). No order as to costs.