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

+ W.P.(C) 3506/2024

NARESH KUMAR

..... Petitioner

Through: Mr. Yogendra Kumar Verma,
Advocate.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Ms. Latika Choudhury, Advocate for
R-1 and R-2.
Mr. Anurag Lakhotia and Mr. Udit
Dwivedi, Advocates for R-3, R-4 and
R-5.

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+ W.P.(C) 3541/2024

AJAY KUMAR

..... Petitioner

Through: Mr. Yogendra Kumar Verma,
Advocate.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Ms. Latika Choudhury, Advocate for
R-1 and R-2.
Mr. Anurag Lakhotia and Mr. Udit
Dwivedi, Advocates for R-3, R-4 and
R-5.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

07.03.2024

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(The proceeding has been conducted through Hybrid Mode)

CM APPL. 14303/2024 (for exemption) in W.P.(C) 3506/2024

CM APPL. 14446/2024 (for exemption) in W.P.(C) 3541/2024

1. Exemption is allowed, subject to all just exceptions.
2. The applications stand disposed of.



W.P.(C) 3506/2024 & W.P.(C) 3541/2024

3. The petitioners, in the present petitions challenges the transfer order dated 15.02.2024 passed by the respondent No.3 and the transfer order dated 17.02.2024 passed by the respondent No.4 – DAV School, Rohini and also seek re-joining their employment with the respondent No.4 – DAV School, Rohini.

4. Learned counsel for the petitioners submits that though the petitioners have already joined the transferee School, however, the said transfers are actuated on *mala fides* by the respondent No.4, inasmuch as the petitioners had filed a writ petition, by which the petitioners sought implementation of the 7th CPC and the arrears thereof. He submits that the present transfer orders have been effected in as a counter-blast to the aforesaid writ petitions.

5. Though the learned Single Judge had allowed their writ petitions on merits, however, the petitioners themselves have filed the challenge to the said order by way of an LPA on the issue of the learned Single Judge having directed also constitution of two committees to consider in what way and in what manner the 7th CPC arrears ought to be implemented.

6. He submits that the petitioners have been in the services of the respondent No.4 from the last more than 30 and 14 years in W.P.(C) 3506/2024 and W.P.(C) 3541/2024, respectively.

7. Issue Notice.

8. Notice is accepted by Ms. Latika Choudhury, learned counsel appearing for the respondent Nos.1 and 2 and by Mr. Anurag Lakhotia, learned counsel appearing for the respondent Nos. 3 to 5.



9. Replies be filed within four weeks with an advance copy to learned counsel for the petitioners. Rejoinders thereto, if any, be filed within four weeks thereafter with an advance copy to the learned counsel for the respondents.

10. List the matter before Registrar on 12.07.2024 for completion of pleadings as also service.

TUSHAR RAO GEDELA, J

MARCH 7, 2024/nd