



\$~32

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

+ W.P.(C) 12396/2022

HEMA SHARMA

..... Petitioner

Through: Mr.Jepi with Ms.Hetvi Patel, Advs.

versus

DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT AND
ORS

..... Respondent

Through: Mr.Alok Raj, Adv for Mr.Satyakam,
ASC for R-1, 3 & 4.

Mr.Jatin Singh, SPC with Mr.Kapil Dev Yadav,
Mr.Chandandan, GP for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

26.08.2022

%

1. The petitioner has approached this Court assailing her termination vide order dated 13.09.2017.
2. Learned counsel for the petitioner submits that the petitioner has been terminated only on account of having participated in a strike and that too without holding any disciplinary proceedings against her. He further submits that the petitioner had earlier approached this Court by way of a writ petition being W.P(C) 1293/2021, which was disposed of with liberty to her to approach the learned Central Administrative Tribunal (Tribunal), however, the learned Tribunal has now rejected the original application preferred by her on the ground of maintainability, compelling her to approach this Court.
3. Issue notice. Learned counsel for the respondents accepts notice.
4. Counter affidavit, if any, be filed within six weeks. Rejoinder thereto,



if any, be filed within four weeks thereafter.

5. List on 01.03.2023.

CM APPL. 37234/2022 -Int. relief.

6. This is an application filed by the petitioner seeking the following reliefs:-

a. Direct the Respondent No. 1 to release the full back wages of the Petitioner for the duration she remained illegally terminated from AWC 14.

b. Pass any other order deemed fit and proper in the interest of justice.

7. After some arguments, learned counsel for the petitioner seeks leave to withdraw the present application with liberty to file a similar application after completion of pleadings, if the need so arises.

8. The application stands dismissed as withdrawn with liberty as prayed for.

AUGUST 26, 2022
SR

REKHA PALLI, J