

(2017) 01 DEL CK 0386

In the Delhi High Court

Case No : 11899 of 2006

SMT. SWARAN LATA

APPELLANT

Vs

RASHTRAPATI BHAVAN, KALYAN KENDRA AND ANR.

RESPONDENT

Date of Decision : 24-01-2017

Acts Referred:

[Constitution of India](#), [Article 226](#) -
Power of High Courts to Issue certain writs

Citation : (2017) 01 DEL CK 0386

Hon'ble Judges : Valmiki J.Mehta

Bench : SINGLE BENCH

Judgement

1. By this writ petition under Article 226 of the Constitution of India, the petitioner/Smt. Swaran Lata challenges the letter of termination of her services dated 1.5.2006 issued by the respondent no. 1/Rashtrapati Bhavan, Kalyan Kendra.
2. Petitioner claims that she was appointed as a teacher by the respondent no. 1 and worked without any break from 17.7.1990 to 1.5.2006 and hence her termination from services is illegal.
3. Respondent no. 1 has filed a counter affidavit and stated that respondent no. 1 is a private organization which was established on 10.8.1971 by the then President Sh. V.V. Giri for social upliftment of women, improvement of standard of living of families of workers in Rashtrapati Bhavan, etc. It is prayed that appointment of the petitioner was admittedly in terms of the appointment letter on temporary basis and which was to be terminable on 15 days notice of either side. It was also pleaded that against the petitioner complaints were received that petitioner was not teaching and conducting her classes besides not paying attention towards education of the children and hence the petitioner's services were discontinued by letter dated 1.5.2006.
4. The writ petition will lie in this Court only if there is a school which will be governed by the Delhi School Education Act, 1973. Respondent no. 1 is not

running any "school" governed by Delhi School Education Act because respondent no. 1 is a private association for upliftment/welfare of families of workers of Rashtrapati Bhavan and was not running a school within the meaning of the expression "school" under the Delhi School Education Act.

5. Accordingly, since there is no school under the Delhi School Education Act of which the petitioner was an employee/teacher, and the fact that respondent no. 1 is a private organization created only for upliftment/welfare of the employees working in Rashtrapati Bhavan, this writ petition is not maintainable under Article 226 of the Constitution of India.

6. The writ petition is accordingly dismissed.