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

+ **W.P.(C) 9928/2026 & CM APPL. 46185/2026**

SADHU VASWANI INTERNATIONAL SCHOOL FOR GIRLS

.....Petitioner

Through: Mr Kamal Gupta, Mrs Tripti Gupta,
Mr Sparsh Aggarwal, Mr Siddharth Arora,
Advocates

versus

DIRECTORATE OF EDUCATION

.....Respondent

Through: Mr Dhruv Rohatgi Panel Counsel
GNCTD Ms Chandrika Sachdeva Mr Dhruv
Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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22.07.2026

CM APPL. 46186/2026

Exemption is granted subject to all just exceptions.

The application is disposed of.

W.P.(C) 9928/2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“(A) Certiorari quashing the Impugned Order titled ‘Show Cause Notice’ bearing NO.F.DE.54/DDE/SW-A/Z- 19/2026-27/433 dated 13.7.2026, issued by the Respondent/DoE, as being illegal, arbitrary, malafide, without jurisdiction, unconstitutional and ultra vires

(B) Mandamus directing the DoE not to allot EWS/DG/CWSN students in excess of the ratio of 3:1



w.r.t. actual general category admissions (31) made by the school in entry level class in academic year 2026-27.

...”

2. For the reasons stated in the petition, issue notice.
3. Ms. Sachdeva, learned counsel accept notice on behalf of the respondent.
4. Mr. Gupta, learned counsel for the petitioner, draws my attention to the impugned show cause notice dated 13.07.2026 and more particularly to the paragraphs which read as under:-

“And whereas, the school's reliance, in its reply through M/s Kamal Gupta & Co., on the judgment in Anjali Pandey (supra) is misplaced: a coordinate Bench in Rameshwar Jha (supra) has held to the contrary that the EWS obligation is referable to the declared/sanctioned strength, and in any event, even on the school's own reading, the scaling-down of EWS vacancies requires the school to seek and obtain exemption from the DoE in accordance with the prescribed procedure, which the school has not obtained, having instead denied admission unilaterally.

And whereas, the representation of the school dated 07.05.2026 seeking exemption from admitting the allotted EWS/DG/CWSN students is, for the reasons aforesaid, devoid of merit and is not acceptable, the school having been obliged first to admit the allotted and recommended children.”



5. I have heard Ms. Sachdeva, learned counsel for the respondent, who has vehemently opposed the petition.
6. A perusal of the relevant paragraphs as reproduced above shows that the respondent has already adjudicated the merits of the matter and arrived at a finding in the show cause notice itself.
7. To my mind, the same cannot be done as a show cause notice is required to inform the petitioner as to the proposed violations and the proposed actions intended to be taken by the respondent. It cannot be in the nature of a finding for which the very show cause is issued.
8. For the said reasons, the show cause notice is hereby set aside.
9. The respondent is at liberty to issue fresh show cause notice in accordance with law and take action accordingly.
10. The petitioner shall reply to the show cause notice within 4 weeks from today and the respondent, after duly hearing the authorized representative of the petitioner, shall pass a detailed speaking order.
11. The Court has not expressed any opinion on the merits/demerits of the matter.
12. The writ petition is accordingly disposed of.

JULY 22, 2026/AS

JASMEET SINGH, J