

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11248 OF 2014

Mrs. Smita J. Gowda .. Petitioner.

vs.

Ryan International School and ors. .. Respondents.

Mr. Ajinkya Badar i/b Ms Krupali H. Rajani for the petitioner.

Mr. R.L. Singh for respondent nos.1 to 3.

**CORAM: D.H. WAGHELA, C.J. AND
M.S.SONAK, J.**

DATE : 07 APRIL 2016.

P.C.:

1] Learned counsel appearing for respondent nos.1 to 3 has handed over the Leaving Certificate in respect of Master Arya Jagdesh Gowda to learned counsel appearing for the petitioner in the Court today.

2] In this case, the petitioner, the mother of Arya was required to approach this Court for obtaining the Leaving Certificate. The only justification stated by respondent Nos.1 to 3 for not releasing the Leaving Certificate was that there was some dispute between the petitioner and her husband. There was some matrimonial dispute between the petitioner and her husband. In absence of any restrain order from any Court, we fail to see as to how the respondent nos.1 to 3, on the said ground, can refuse to issue the Leaving Certificate once the child has left the school.

3] The petitioner, who is mother of Arya is equally parent of Arya and therefore, we do not appreciate the respondent nos.1 to 3 in not accepting or acknowledging the status of the petitioner or declining to issue the School Leaving Certificate at her instance.

4] Although, we would have been justified in imposing exemplary costs in a matter of this nature, we direct the respondent nos.1 to 3 to pay the petitioner compensatory costs assessed at Rs.10,000/- (Rs. Ten Thousand only) in order to compensate her for expenses which she was required to incur in approaching this Court and obtaining the School Leaving Certificate. This amount to be paid by the respondent nos.1 to 3 to the petitioner within a period of four weeks from today.

5] In view of above, petition is disposed of.

(CHIEF JUSTICE)

(M.S.SONAK, J.)