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

+ LPA 158/2016

RAJDHANI PUBLIC SCHOOL & ANR

..... Appellant

Through: Mr.J.P.Sengh, Sr.Adv. with
Mr.Jaspreet Singh Kapur, Ms.Sana Ansari,
Mr.Rohit Sharma, Advs.

Versus

DIRECTOR OF EDUCATION & ANR

..... Respondents

Through: Mr.Peeyoosh Kalra, ASC with
Ms.Mahua Kalra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V.P. VAISH

ORDER

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11.03.2016

1. This appeal is preferred against the following interim order passed by the learned Single Judge in W.P.(C) No.6220/2015:

“Learned counsel for respondents states that the team of Inspectors appointed by the Directorate of Education was not allowed to inspect the petitioners’ premises.

Though the learned counsel for petitioners vehemently refutes the said statement, this Court is of the opinion that the matter would be taken up for hearing only after the officials of the Directorate of Education have inspected the plots in question.

Consequently, the officials of Directorate of Education are directed to visit the petitioners’ premises on 11th March, 2016 at 2:00pm.

Both parties are directed to videograph the inspection proceedings and file the same on record along with their respective affidavits.

List the matter on 31st March, 2016.”

2. It is vehemently contended by the learned counsel appearing for the appellant that the direction by the learned Single Judge to conduct fresh inspection on 11.03.2016 is unjustified and unwarranted.

3. However, Shri Peeyoosh Kalra, the learned counsel appearing for the respondents on instructions submitted that the respondents are unable to implement the directions of the learned Single Judge in view of the aggressive attitude of the appellant and therefore an application has already been moved before the learned Single Judge for appropriate orders.

4. As per the order under appeal, the premises of the appellant was directed to be inspected today, i.e. 11.03.2016 at 2:00pm. Since the learned counsel for the respondents states that there is no possibility to carry out the inspection today, it is submitted by the learned senior counsel appearing for the appellant that the cause in the appeal does not survive and therefore there is no need for adjudication on merits.

5. Accordingly, the appeal is disposed of leaving it open to both the parties to urge their respective contentions in the pending writ petition.

CHIEF JUSTICE

MARCH 11, 2016/‘anb’

V.P. VAISH, J