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

+ W.P.(C) 2397/2016

MASTER PRATYAKSH (MINOR) THR HIS FATHER

..... Petitioner

Through Mr.Rajesh Raina, Advocate.

versus

POORNA PRAJNA PUBLIC SCHOOL & ORS Respondents

Through Mr.N.S.Arora, Advocate for GNCTD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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19.04.2016

C.M.No.13396/2016

Present application has been filed for modification of the order dated 22nd March, 2016 to the extent that the statement recorded by learned senior counsel for GNCTD was actually made by the counsel for the respondent-school.

In the application, it has been averred that it was the counsel for the respondent-school who had made the statement that the seats were still available and they would have no objection if this Court allows the admission to be restored.

It is also correctly stated in the present application that as the issue involved the education of children and a genuine income certificate had subsequently been furnished and since no fault could be attributed to the children, this Court took a lenient view that the admission of the minor petitioners be restored and not cancelled

subject to a penalty of Rs.5,000/-.

Consequently, the present application is allowed and the order dated 22nd March, 2016 shall now read as under:-

“Present writ petitions have been filed challenging the expulsion letters whereby the admissions of the minor petitioners were cancelled on the ground that the income certificates forwarded by their parents were fraudulent.

Learned counsel for petitioners state that the father of the petitioners were cheated by touts in the office of Deputy Commissioner, South District. They further state that the fresh income certificates of the parents of the minor petitioners still disclose their actual income as less than Rs. One lakh.

Learned counsel for the petitioners also rely upon the orders dated 21st January, 2016 and 26th February, 2016 passed by this Court in W.P.(C) 557/2016 wherein this Court directed the school authorities not to cancel the admissions of the minors on the ground of the misdeeds of the fathers.

*Learned counsel for the Heritage school states that seats in EWS category are still available with it and the minor petitioners can be accommodated in the school. **He further states that the respondent-school has no objection if the admission of the minor petitioners is restored.***

Mr. Rahul Mehra, learned senior standing counsel for GNCTD clarifies that recently the GNCTD has simplified the procedure of issuance of an income certificate.

Keeping in view the fact that the fresh income certificates of the parents of the minor petitioners still disclose their actual income as less than Rs.1 lac, this Court directs that the minor petitioners shall continue with their studies in the respondents-school under EWS Category. They shall be entitled to all the benefits/entitlements under the said group.

Since fathers of the minor petitioners had admittedly produced the wrong income certificates, they are directed to pay costs of Rs.5,000/- each to the Lok Nayak Jai Prakash Hospital, Delhi, within a period of two weeks.

With the aforesaid directions, present writ petitions and applications stand disposed of.

Order dasti under the signature of Court Master.”

Accordingly, the application stands disposed of.

Order *dasti*.

MANMOHAN, J

APRIL 19, 2016

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