

\$-25 & 26

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

+ **W.P.(C) 2982/2016 & C.M.No.12543/2016**

PRIYANSHI & ORS

..... Petitioners

Through **Mr.Ajay Kumar Singh with
Mr.Medhanshu Tripathi, Advocates.**

versus

THE HERITAGE SCHOOL & ORS

..... Respondents

Through **Mr.K.P.Sundar Rao, Advocate for R-
1.**

**Mr.Peeyosh Kalra, ASC with
Ms.Sona Babbar, Advocate for
GNCTD.**

+ **W.P.(C) 3016/2016 & C.M.No.12684/2016**

UTSAW KUMAR AND ORS

..... Petitioners

Through **Mr.Ajay Kumar Singh with
Mr.Medhanshu Tripathi, Advocates.**

versus

THE POORNA PRAJNA PUBLIC SCHOOL AND ORS

..... Respondents

Through **Mr.Kaustubh Sinha, Advocate for R-
1 & 2.**

**Mr.Gautam Narayan, ASC with
Mr.Shatrajit Banerji and Mr.Pankaj
Yadav, Advocates for GNCTD.**

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

08.04.2016

Present writ petitions have been filed challenging the expulsion letters whereby the admissions of the minor petitioners have been

cancelled on the ground that the income certificates forwarded by their parents were not genuine.

Learned counsel for petitioners state that the fathers 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.1lakh.

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 the seats in EWS category are still available with it and the minor petitioners can be accommodated in the school.

Learned counsel for the Poorna Prajna Public School also confirms that seats under EWS category are still available with it and the minor petitioners can be accommodated in this school. He, however, states that income certificates of 10 of the petitioners in WP(C) 3016/2016 have expired.

Learned counsel for the petitioners states that fresh income certificates in lieu of expired certificates shall be furnished to the respondents within a period of two weeks.

Learned senior standing counsel for GNCTD states that recently the GNCTD vide circulars dated 6th November, 2015 and 27th January, 2016 has simplified the procedure of issuance of an income

4

certificate. He also confirms that the new valid income certificates that have been produced, have been found to be genuine.

Keeping in view the aforesaid, this Court directs that the minor petitioners who have forwarded fresh income certificates shall continue with their studies in the respondents/schools under EWS category.

In lieu of expired income certificates, the fathers of minor petitioners are directed to furnish fresh income certificates within a period of two weeks. The respondents/schools are directed to verify the said certificates and if they find them to be genuine, they shall allow the minor petitioners to continue with their studies under EWS category.

Needless to say that the minor petitioners 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.

APRIL 08, 2016
KA


MANMOHAN, J