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

+ W.P.(C) 4206/2016 & C.M.No.17757/2016

VASNO DEVI & ORS

..... Petitioners

Through Mr.Mukesh Gupta with  
Mr.C.K.Bhatt, Advocates.

versus

DELHI PUBLIC SCHOOL & ORS

..... Respondents

Through Mr.Punet Mittal with Ms.Vasudha  
Bajaj, Advocates for R-1.  
Mr.Gautam Narayan, ASC for R-2 to  
4/GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

% **01.06.2016**

Present writ petition has been filed challenging the letters dated 28<sup>th</sup> April, 2016 whereby the admission of the minor petitioners have been cancelled on the ground that the income certificates forwarded by their parents were forged.

Learned counsel for petitioners states that even fresh income certificates of the parents of the minor petitioner nos. 1 and 2 still disclose their actual incomes as less than Rs.1 lakh and the ration card of the parents of the minor petitioner no. 3 is genuine.

Learned counsel for the petitioners also relies upon the orders dated 21<sup>st</sup> January, 2016 and 26<sup>th</sup> 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 their fathers.

Learned counsel for the respondent-School states that the seats in EWS category are still available with it and the minor petitioners can be accommodated in the school.

Learned additional standing counsel for GNCTD states that recently the GNCTD has simplified the procedure for issuance of an income certificate. He also confirms that the new income certificates and ration card are genuine. He has handed over verification reports dated 10<sup>th</sup> May, 2016 and 26<sup>th</sup> May, 2016 issued by the Tehsildar, Vasant Vihar and the same are taken on record.

As the issue involves the education of minor and genuine income proofs have subsequently been furnished and since no fault can be attributed to the minors, this Court takes a lenient view and directs that the admission of the minor petitioners be restored and not cancelled subject to a penalty of Rs. 5,000/- each to be paid to Lok Nayak Jai Prakash Hospital, Delhi within a period of two weeks.

This Court may mention that in the case of ***Master Jai Raikwar and Ors. Vs. The Heritage School and Ors., W.P.(C) No.2219/2016***, it has allowed a similar writ petition.

Needless to say that the minor petitioners shall be entitled to all the benefits/entitlements under the said group. However, this Court clarifies that it has not expressed any opinion with regard to the criminal proceedings. Moreover, if the new income certificates furnished by the petitioners are found to be fictitious or not correct on any account, it shall be open to the respondents to cancel the admission of the petitioners in accordance with law and no special equity shall be claimed by the petitioner by virtue of the present order.

With the aforesaid directions, present writ petition and the application stand disposed of.

Order *dasti*.

**MANMOHAN, J**

**JUNE 01, 2016**  
**KA**