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

+ LPA 698/2014 & CM No.17035/2015 (*delay in filing*)

SOCIAL JURIST, A CIVIL RIGHTS GROUP Appellant

versus

ST. COLUMBAS SCHOOL & ORS Respondent

Counsel for the appellant: Mr.Ashok Agarwal with Mr.Khagesh B.Jha, Advs.

Counsel for the respondents: Mr.Romy Chacko with Mr.Varun Mudga, Advs. for R-1; Mr.Peeyoosh Kalra, ASC with Ms.Mahua Kalra and Ms.Sona Babbar, Advs. for the GNCTD; Mr.Dhanesh Relan, Adv. for DDA.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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18.02.2016

1. This appeal is preferred against the order of the learned Single Judge dated 01.09.2014 in W.P.(C) No.131/2014 and batch which were filed challenging the order dated 18.12.2013 and Notification dated 30.12.2013 issued by the Lieutenant Governor of Delhi to the extent it directs private unaided minority schools to admit children belonging to EWS category to the extent of 20% of entry level and provide free-ship to them till completion of their school education.

2. The Appellant herein which claims to be a Civil Rights Group got itself impleaded as Respondent No.3 to W.P.(C) No.131/2014. However, it was not a party to the other petitions.

3. In the light of the ratio laid down in ***Pramati Educational and Cultural Trust & Ors. v. Union of India & Ors.***; W.P.(C) No.416/2012 dated 06.05.2014, the learned Single Judge rejected the contention of the Respondent / GNCTD that as the land to the petitioners' schools had been given on concessional rates, they were obliged to admit students belonging to EWS category. Accordingly, the learned Single Judge allowed the writ petitions observing that no document had been placed on record by the respondents to show that the writ petitioners had undertaken to provide free-ship.

4. As mentioned above, the present appeal is by Social Jurist who was a party respondent only to W.P.(C) No.131/2014. Nothing could be placed before this Court even in the present appeal to show that the writ petitioner in W.P.(C) No.131 of 2014 / respondent No.1 herein had been allotted land on a concessional rate.

5. Hence, we do not find any justifiable reason to interfere with the order under appeal. Accordingly, the appeal is dismissed. However, liberty is granted to the appellant to institute appropriate proceedings, as permissible under law, afresh.

CHIEF JUSTICE

JAYANT NATH, J

FEBRUARY 18, 2016/pmc