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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9304/2016**

MASTER KARAN BISWA KARMA (MINOR) Petitioners
Through: Mr. S.S. Singh, Adv. for Mr. Amitesh
Kumar, Adv.

versus

CHINMAYA VIDYALAYA & ANR. Respondents
Through: Mr. Yashvardhan, Mr. Himanshu
Kulshrestha, Advs. for R-1

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **28.11.2016**

1. The present petition has been filed by Master Karan Biswa Karma through his father, natural guardian for a direction against the respondent no.1/school to restore his admission.
2. It is averred in the petition that on the basis of an income certificate obtained from the office of the Deputy Commissioner, South District, Delhi on 26th November, 2012, the father of the petitioner got the petitioner admitted in the respondent no.1/school. On 4th March, 2016, the respondent no.1/school cancelled the admission of the petitioner from the school on the ground that the income certificate submitted by the father of the petitioner was forged.

3. Learned counsel for the petitioner states that after the admission was cancelled, the father of the petitioner has procured another income certificate from the concerned authority i.e. office of the District Magistrate, Vasant Vihar, New Delhi. He also states, in the said certificate, the initial income was declared as Rs.1,08,600/-, which was higher than the limit required for admission to the EWS category. He also states that as on date, the father of the petitioner is working as a helper in a shop which sells Momos on the footpath in Munirka and a fresh certificate has now been obtained dated 26th August, 2016, wherein the family income from all sources has been declared as Rs.84,000/- per annum.

4. Learned counsel appearing for the respondent no.2 has placed before me a communication dated 14th October, 2016 from Tehsil, Vasant Vihar to Mr.Gautam Narayan, Additional Standing Counsel, Govt. of NCT of Delhi, who is appearing in the matter to contend that it has been certified by the Tehsildar, Vasant Vihar that as per the office record, the certificate (at page 30) No.90550000179594 has been in the name of Mr.Roshan Biswa Karma, R/o 56/A, Munirka Village, Delhi has been issued from his office.

5. It is contended by the learned counsel for the respondent no.2 that the certificate is a genuine one. The said communication is taken on record.

6. In view of various orders passed by this Court in different petitions including WP(C) no.2219/2016 titled *Master Jai Raikwar & Ors. vs. The Heritage School & Ors.* and the connected writ petition decided on 22nd March, 2016, wherein this Court noting the facts similar to the one noted by this Court in this order, allowed the writ petition, this Court is of the view that the present writ petition need to be allowed. Order dated 4th March, 2016 is set aside. The respondent no.1/school is directed to continue the petitioner with his studies with the school in the category of EWS. He shall be entitled to all the benefits under the said category. Since the father of the minor petitioner had admittedly produce a wrong certificate, he is directed to deposit an amount of Rs.5,000/- with Lok Nayak Jai Prakash Hospital within two weeks from today.

7. The proof of deposit of cost of Rs.5,000/- shall be filed by the learned counsel for the petitioner within two weeks, thereafter.

8. With the aforesaid directions, the petition is disposed of.

V. KAMESWAR RAO, J

NOVEMBER 28, 2016

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