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

+ LPA 768/2015

RAMESH NEGI Appellant

Through: Mr.Ashok Agarwal, Adv.

Versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr.Naushad Ahmed Kha, ASC for
GNCTD.

Mr.Ramesh Singh with Ms.Megha Mukerjee,
Adv. for R-4.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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28.01.2016

C.M.No.25256/2015 (delay in filing)

Heard learned counsel for the parties.

Under the facts and circumstances explained in the application, the delay in filing is condoned and the application is disposed of.

LPA 768/2015

1. Heard the learned counsel for both the parties.
2. The unsuccessful petitioner in W.P.(C) No.5949/2015 is the appellant before us.
3. The said writ petition was filed seeking a direction to the respondent Nos.1 to 3 and 8 herein to ensure admission of the minor son of the petitioner to the Preparatory (Prep)/Nursery class in any one of the respondent Nos.4 to 7 schools under the category of "Children with Special Needs" (CWSN). The writ petition was dismissed by the learned Single

Judge by order dated 02.09.2015. Aggrieved by the same, the present appeal has been filed by the writ petitioner.

4. The relief sought by the petitioner in the writ petition was admission of his minor son to the Preparatory (Prep)/Nursery class for the Academic Year 2015-16. Since the said Academic Year expired long back, the cause in the writ petition does not survive as of today. Hence, the appeal does not deserve consideration on merits at this point of time.

5. The learned counsel for the appellant states that a fresh application will be made by the appellant/writ petitioner for admission of his minor son for the Academic Year 2016-17.

6. Therefore, we consider it appropriate to dispose of the appeal with a direction to the respondents that in the event of a fresh application being made by the appellant for the Academic Year 2016-17, the same be considered in accordance with law without being influenced by any of the observations/findings recorded by the learned Single Judge in the order under appeal.

7. The appeal is accordingly disposed of.

CHIEF JUSTICE

JAYANT NATH, J

JANUARY 28, 2016/pmc