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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2711 of 2017**

Naveen Kumar Saha S/o Shri Naresh Saha, Aged about 36 years, R/o Haldibadi, Chirmiri, District Korea Chhattisgarh.

---- Petitioner**Versus**

1. D. A. V. Public School, a Unit of Dayanand Anglo Vedic College Trust and Management Society Through its President, Head Office- Sector 7 Rohini, New Delhi.
2. Principle Cum Ex-Officio Member Secretary, D A V Public School Chirimiri, a Unit of Dayanand Anglo Vedic College Trust and Management Society, S E C L Bartunga, Chirimiri, District Korea Chhattisgarh.
3. Chief General Manager, South Eastern Coalfields Limited (SECL) cum Chairman D A V Public School, Chirimiri, SECL Chirimiri Area, District Korea Chhattisgarh.
4. District Education Officer, Korea District Korea Chhattisgarh.

---- Respondents**WPC No. 2712 of 2017**

Vachaspati Dubey S/o Shri Bhagwat Prasad Dubey, Aged about 37 years R/o Ward No.15, Haldibadi, Chirmiri, District Korea, Chhattisgarh.

---- Petitioner**Versus**

1. D. A. V. Public School, a Unit of Dayanand Anglo Vedic College Trust and Management Society Through its President, Head Office- Sector 7 Rohini, New Delhi.
2. Principle Cum Ex-Officio Member Secretary, D A V Public School Chirimiri, a Unit of Dayanand Anglo Vedic College Trust and Management Society, S E C L Bartunga, Chirimiri, District Korea Chhattisgarh.
3. Chief General Manager, South Eastern Coalfields Limited (SECL) cum Chairman D A V Public School, Chirimiri, SECL Chirimiri Area, District Korea Chhattisgarh.
4. District Education Officer, Korea District Korea Chhattisgarh.

---- Respondents

For Petitioners : Mr. Sanjay Patel, Advocate.
For Respondent No.3 : Mr. H.B. Agrawal, Sr. Adv. with Mr. Pankaj
Agrawal and Mr. Vinod Deshmukh, Advocates.
For Respondents No. 1 & 2 : Mr. Amrito Das, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/10/17

Learned counsel appearing on behalf of the petitioners would submit that the petitioners' daughter despite having transfer / migration certificate from D.A.V. Public School, Raigarh have not been given admission by the respondent No. 2- D.A.V. Public School, Chirmiri through lottery system conducted on 17.09.2017 and, therefore, the action of the respondent No. 2 is arbitrary and contrary to law.

2. Mr. Das, counsel for the D.A.V. Public School would submit that there were only two seats vacant for admission and the selection was to be done through lottery system in which the petitioners' daughter also participated but they could not secure the seats and the school cannot admit more than the sanctioned seats as per the directions of Central Board of Secondary Education.

3. I have heard learned counsel for the parties at length.

4. Since there were only two seats vacant which has already been filled up through lottery and as there is no more seats vacant now, admission could not be given to the petitioners' daughter. I do not find any merit in the writ petition.

5. Accordingly, the writ petition deserves to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge