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

+ O.M.P. 38/2013

RAM KRISHAN & SONS CHARITABLE TRUST Petitioner

Through: Mr. Sandeep Mittal & Mr. Vinod
Kathwalia, Advocates

versus

SHAURYA EDUCATION TRUST Respondent

Through: Ms. Risha Mittal & Ms. Devyani
Sharma, Advocate
Mr. Mazaqul Bassar Ansari,
Advocate for State of J&K

+ O.M.P. 238/2013

SHAURYA EDUCATION SOCIETY ... Petitioner

Through: Ms. Risha Mittal, Ms. Devyani
Sharma, Advocate

versus

RAM KRISHAN & SONS CHARITABLE TRUST Respondent

Through: Mr. Sandeep Mittal & Mr. Vinod
Kathwalia, Advocates

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **23.08.2017**

Learned counsel for the State of J&K has today placed on record a copy of the 'No Objection Certificate' whereby the Directorate of Education has on 19.08.2017, consented to change of the name of the school being run by the respondent under the name of 'Banyan International School' to Shaurya International School'.

It may be noted that the parties have agreed that in terms of the award of the learned Arbitrator, in case the respondents complies with

the direction nos. 1 and 2 of the award dated 15.12.2012, the petitioner will not press for the claim no. 3 relating to payment of dues/damages.

Learned counsel for the respondent reiterates that in view of the fact that now, the State of J&K has given the '*No Objection Certificate*', they would henceforth, subject to appropriate steps by CBSE, will not use the brand name '*Banyan International School*' and will use the name '*Shaurya International School*'.

I may note that this Court on 03.08.2015, had directed the CBSE to remain present in Court. The counsel for the CBSE appeared on 27.11.2015. The counsel thereafter did not chose to appear in Court. However, in the interest of justice, the respondent may inform the CBSE about the necessary consent/'*No Objection Certificate*' produced by the counsel for the State of J&K.

Accordingly, the CBSE will take steps as per law within a week from today.

Binding the parties to the aforesaid directions, both the petitions stand disposed of.

The Registry may scan a copy of the aforesaid '*No Objection Certificate*' dated 19.08.2017 which has been filed by the counsel for the State of J&K and place it on record.

A copy of this order be given *dasti* to learned counsel for the parties.

JAYANT NATH, J.

AUGUST 23, 2017/P