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

+ W.P.(C) 5278/2016 & CM No.39371/2016

ASHWINI KUMAR UPADHYAY Petitioner

Through: Petitioner-in-person.

versus

UNION OF INDIA & ANR. Respondent

Through: Mr.Abhay Prakash Sahay, CGSC for
UOI.

Mr.Kamal Gupta, Adv. for the
applicant in CM No.39371/2016.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **26.04.2017**

1. This writ petition seeks the following prayers:

“a) Issue a direction or order or writ including writ in the nature of mandamus or such other writ, order or direction as may be necessary; directing the respondents to provide an authoritative textbook on ‘Environment, Health and Safety’ and ‘Socialism, Secularism and Nationalism’ for the children aged 6-14 years and a standard textbook having chapters on Fundamental Rights, fundamental Duties, Directive Principles and the Golden Goals as set out in the Preamble in spirit of the Article 21A read with Article 14, 15 and 21 of the Constitution of India;

b) Issue a direction or order or writ including writ in the nature of mandamus or such other writ, order direction as may be necessary; directing the respondents to provide common syllabus and common curriculum to all the children aged 6-14 years in spirit of Article 21A

read with Article 14 and 15 of the Constitution of India;
c) Issue such other writ, order or directions as may be necessary to implement the Article 21A in conformity with Article 14 and 15 and allow cost to petitioner.”

2. Undoubtedly, this Court does not have the competence to decide the course content of educational courses. Hence, no writ as prayed for can be granted to the petitioner by this Court.
3. The petitioner who appears in person submits that the respondents be called upon to consider the averments made in the writ petition and take a considered view thereon. This appears to be a fair suggestion.
4. In view thereof, the writ petition is dismissed as not maintainable. However, the respondents may examine the submissions made in the petition in support of the above prayers and take a considered view while designing the course content of the educational programmes.
5. *Dasti.*

ACTING CHIEF JUSTICE

ANU MALHOTRA, J

APRIL 26, 2017/pmc