

\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3436/2017**
MASTER MAYANK RAWAT THRO HIS FATHER AND
NATURAL GUARDIAN SHRI HARISH RAWAT @ HARISH
CHAND

..... Petitioner
Through: Mr. Vivek Kumar Tandon, Adv. with
Mr. Yogesh Saini, Adv.

versus

MOUNT ABU PUBLIC SCHOOL & ORS
..... Respondent
Through: Mr. Kamal Gupa, Adv. for R-1
Ms. Aayushi Gupta, Mr. Akshay
Chaudhary, Mr. Arun Kr. Panwar,
Advs. for R-2 & 3
Mr. Atul Kumar, Adv. for R-4/CBSE

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

ORDER
% **30.05.2017**

CM No. 21547/2017

1. This is an application filed by the petitioner seeking early hearing of the petition. Noting the averments in the application and the learned counsel for the respondents have no objection in the hearing of the petition, the same is allowed and disposed of. Learned counsel for the parties have been heard on the writ petition.
2. It is the submission of Mr. Tandon, learned counsel for the petitioner

that the compartment examination conducted by the School on April 10, 2017 was contrary to the guidelines dated September 8, 2001, inasmuch as the exam has to be held in the last week of April of the concerned year. According to him, the respondent No.1 has informed the father of the petitioner only on April 01, 2017 for the appearance of the minor petitioner in the compartment examination on April 10, 2017. He states, that he did appear in the compartment examination held on April 10, 2017 but the period given, was too less for the petitioner to prepare for the same. He would rely upon the judgment of this Court in W.P.(C) no. 6709/2016 and connected petition decided on September 15, 2016 wherein this Court has in similar circumstances set aside the result of the compartment examination of the petitioners in these cases and directed the respondent to hold compartment examination for the petitioners in the concerned paper after two weeks.

3. Mr. Kamal Gupta, learned counsel for the respondent No.1 even though contest the submissions made by Mr. Tandon, states that without prejudice to the stand of the respondent No.1 School, the School shall conduct the compartment examination on any date convenient to the petitioner. On this submission of Mr. Gupta, Mr. Tandon states, the School

may conduct the compartment examination on any date after 20th June, 2017. This suggestion of Mr. Tandon is agreeable to Mr. Gupta, who states that necessary communication with regard to the date and the time of the exam shall be communicated to the petitioner to enable the petitioner appear in the compartment examination.

4. Mr. Gupta states, the Court may direct that no further opportunity shall be granted to the petitioner, if he does not succeed in this examination, which submission is agreeable to Mr. Tandon.

5. Mr. Tandon states, the aforesaid shall satisfy the petitioner and the petition be disposed of as such. The petition is disposed of. The date of hearing of 27th July, 2017 stands cancelled.

V. KAMESWAR RAO, J

MAY 30, 2017/ak