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

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W.P.(C)No.8870/2017

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Date of decision : 10th October, 2017

JUSTICE FOR ALL

..... Petitioner

Through : Mr. Khagesh B. Jha, Adv.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through : Mr. Ramesh Singh, SC-
GNCTD with
Mr. Sandeepan Pathak, Adv.
Ms. Mini Pushkarna, SC-
NDMC for R-2 with
Ms. Anushruti and
Ms. Vasundhara Nayyar, Adv.
Ms. Monika Arora, SC-SDMC
with Mr. Harsh Ahuja, Adv.
Mr. U.P. Singh for Mr. D.K.
Devesh, Adv. for
R-4/EDMC
Ms. Puja Kalra, Adv. for
R-5/NDMC

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. This writ petition complains that by virtue of circulars dated 6th November, 2015 and 1st August, 2016, the respondents have restricted the rights of the School Management Committees (SMCs) in violation of the spirit, intendment and purpose of Section 21 of the Rights of Children to Free and Compulsory Education Act, 2009 as well as Rules 3, 4 and 5 of the Delhi Right of Children to Free and Compulsory Education Rules, 2011. The petitioner makes a grievance that as a result of the circulars issued by the respondent no.1, involvement of parents as members of the School Management Committee have been abrogated impacting the involvement of the parents of the school children in the management and running of the schools.

2. We find that the petitioner has approached this court without having made any representation to the respondent no.1 which deserves to consider the grievance of the petitioner and to take a considered view thereon.

3. In view thereof, this writ petition is disposed of with the following directions :

(i) *The respondent nos. 1 and 6 shall consider this writ petition as a representation and take a considered view thereon within eight weeks from today.*

(ii) *The decision taken by the respondent nos. 1 and 6 shall be communicated to the petitioner.*

4. This writ petition is disposed of in the above terms.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 10, 2017/kr

