

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2431 of 2018**

1. Shatabdi Gupta D/o R.K. Gupta Aged About 8 Years (Minor), Through Her Father R.K. Gupta, S/o D.P. Gupta, Aged About 45 Years), R/o Qtr. No. 17, Block No. 17, MIH-II, Jawahar Nagar, Bhilai, District Durg Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mantralaya, Capital Complex, Naya Raipur, District Raipur Chhattisgarh.
2. District Education Officer Durg, District Durg Chhattisgarh.
3. K.H. Memorial School, Through Its Principal, Jawahar Nagar, Behind Petrol Pump, Bhilai, District Durg Chhattisgarh.

**---- Respondent**


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For Petitioner  
For Respondent/State  
For Respondent No.3

Shri Sumit Singh, Advocate  
Shri Sameer Behar, Panel Lawyer  
Ms Renu Kochar, Advocate

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**Order On Board****By****Prashant Kumar Mishra, J.****11/09/2018**

1. There appears to be dispute between the parties in respect of deposit of fees and the respondent's action of not allowing the petitioner to attend the school.
2. The petitioner is alleging violation of the provisions contained in the Right of Children to Free and Compulsory Education Act, 2009 (for brevity 'the RTE Act') and Article 21-A of the

Constitution of India whereas the respondent would allege that petitioner's father has been removed from the service of the school and he has filed this false and vexatious petition.

3. Let the petitioner move before the District Education Officer, Durg, the respondent No.2, by preferring a representation within a week and on such representation being filed, the DEO shall consider and decide the same considering the provisions contained in the RTE Act, as early as possible preferably within a period of three weeks from the date of receipt of representation. If the petitioner's grievance is found to be just and lawful, the DEO may pass an appropriate order directing the school to allow the petitioner to attend the school.
4. Accordingly, the writ petitioner is disposed of.

Sd/-  
Judge  
Prashant Kumar Mishra

Gowri