

#21

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 06.09.2018

W.P.(C) 1332/2017 & CM Nos. 6097/2017 (stay) & 12781/2017 (interim direction)

PARTH BHATIA

..... Petitioner

versus

LT. GOVERNOR OF DELHI AND ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Anshumaan Sahni and Ms. Tuba Mohdi, Advocates.

For the Respondents : Mr. Gautam Narayan, ASC (Civil), GNCTD along with Mr. Abhinav Goyal, Advocate.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

1. The present petition under Article 226 of the Constitution of India, prays as follows:-

“a) Issue a Writ, order or direction including a Writ of mandamus or any other appropriate writ setting aside the part of the circular dated 09.01.2017 where under CWSN has been arbitrarily clubbed with the other EWS/DG category;

b) Issue a Writ of mandamus or any other appropriate Writ for directing the Director of Education to earmark separate quota for CWSN category out of 25% reserved for EWS/DG category in private unaided schools recognized under Delhi School Education Act & Rules, 1973 at the entry level classes (Nursery/pre-school, KG/pre-primary and class-I) for academic session 2017-18 from 10.01.2017;

c) Pass orders granting any other such relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case."

2. It is an admitted position that, subsequent upon the institution of the writ petition, the Government of NCT of Delhi, has carved out a reservation of 3% for students like the petitioner, belonging to the "persons with disability" category.

3. Viewed from this perspective, the relief prayed for, in the present petition, has already been satisfied.

4. The petition is accordingly allowed as having been satisfied and disposed of.

5. It is, however, directed that, the petitioner's application for grant of admission under the "persons with disability" category for which, a reservation has now been made, as aforesaid, be considered for the academic

session 2018-2019, expeditiously and preferably within a period of four weeks from today.

6. With the above direction, the writ petition is disposed of. Pending applications also stand disposed of.

**SIDDHARTH MRIDUL
(JUDGE)**

SEPTEMBER 06, 2018
RS



नित्यमेव जयते