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

+ W.P.(C) 3326/2018 & CM Nos.13078-79/2018

MASTER VISHESH RUSTAGI THROUGH HIS FATHER SH.
LALIT KUMAR Petitioner

Through: Mr.Khagesh B. Jha, Adv.

versus

N. K. BAGRODIA PUBLIC SCHOOL AND ORS..... Respondents

Through: Dr.(Mrs.) Rajee N. Kumar, Principal
of R-1.

Mr.Amit Bansal, Adv. for R-2.

Mr.Gautam Narayan, ASC with

Mr.Abhinav Goyal, Advs. for R-3.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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09.04.2018

Vide the present petition, the petitioner, a student of Class IX of respondent no.1/school has prayed for a direction to the respondent no.1/school to abide by the bye-laws and guidelines of the respondent nos.2 & 3 regarding the curriculum and examination policy and to declare him as 'pass' in Science and allow him to appear in the compartment examination for Social Studies and round off the marks scored by him in Science as per the guidelines of respondent nos. 1 & 3.

Upon notice, Dr.(Mrs.) Rajee N. Kumar, appears on behalf of respondent No.1/school and submits that as a matter of special indulgence, the respondent No.1/school is willing to give another

opportunity to the petitioner to appear in the compartment examination for class IX in both the subjects that are Science and Social Studies, in which he had failed.

Learned counsel for the petitioner submits that the petitioner is willing to appear in the compartment examination for the aforesaid two subjects, if the same is held after four weeks.

Dr.(Mrs.) Rajee N. Kumar assures the Court that the compartment exam will be scheduled immediately after four weeks. She also fairly submits that by way of an interim arrangement, till the petitioner appears in the compartment examinations for the aforesaid two subjects, he would be permitted by the respondent no.1/school to attend Class-X. It is, however, made clear that in case the petitioner is not able to clear any of the aforesaid subjects in the compartment examination, the provisional permission granted to the petitioner to attend Class-X would stand cancelled and the petitioner will have to repeat Class-IX.

Mr.Jha, learned counsel for the petitioner submits that there is a provision for a second compartment as per the Rules of respondent nos2 & 3. The same is, however, vehemently denied by learned counsel for the respondents.

The aforesaid issue is however left open, to be decided at a later stage, if needed.

The petition as well as pending applications are disposed of.

REKHA PALLI, J

APRIL 09, 2018/gm