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

+ LPA 510/2018

BEENA ARORA Appellant

Through: Ms.Madhumita Bhattacharjee, Advocate.

versus

DIRECTORATE OF EDUCATION & ANR

..... Respondents

Through: Mr.Shadan Farasat, ASC with Mr.Ahmad Said,
Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

O R D E R

% **05.09.2018**

CM No.36087/2018 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM No.36086/2018 (delay in filing)

This is an application filed by the appellant seeking condonation of delay in filing the appeal.

Notice. Counsel for the respondents accepts notice. The prayer made in this application is not opposed. Accordingly, the delay in filing the appeal is condoned.

The application stands disposed of.

LPA 510/2018

The present appeal is directed against the order dated 14.05.2018 passed by a learned Single Judge in a writ petition filed by the appellant wherein a request for Child Care Leave was rejected by the School. We have brought to the notice of the counsel for the appellant the statement made by the counsel who appeared before the learned Single Judge that the prayer regarding Child Care Leave has become infructuous.

Learned counsel for the appellant at this stage, submits that the child of the appellant is about 10 years old but he requires extra attention. She submits that in case, the appellant makes an application, the School should be directed to consider the application in true spirit and not reject the same, merely because petitioner had exercise her right and filed a writ petition.

Counsel for the respondent No.1 enters appearance on an advance copy. Despite an advance copy having been served, none has chosen to appear on behalf of the School.

We have heard the counsels for the parties, in view of the stand taken by the appellant before the learned Single Judge that the relief sought had become infructuous, the present appeal cannot be entertained. However, in case an application is made by the appellant seeking Child Care Leave, the same would be considered by the School in accordance with law. We expect that the School will act in fair and just manner and not reject the application, merely because the appellant has exercised her right by filing a writ petition. Copy of the request will be marked to the Director of Education.

With these directions, the LPA is disposed of, as prayed.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 05, 2018

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