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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 486/2018**
BLUEBELLS SCHOOL INTERNATIONAL Appellant
Through: Mr. Akhil Sibal, Sr. Adv. with
Mr. Kamal Gupta, Adv.
versus

DIRECTORATE OF EDUCATION Respondent
Through: Mr. Ramesh Singh, SC with
Mr. Chirayu Jain, Adv.
Mr. Rajat Gava, Adv. for
Mr. Sanjeev Narula, CGSC for R-2

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **28.08.2018**

1. The present appeal has been filed by the Bluebells School International challenging the order dated August 21, 2018 whereby the learned Single Judge, while considering the writ petition for the first time, had passed the following order:-

“Issue Notice.

Mr. Ramesh Singh, learned Standing Counsel accepts notice on behalf of the respondent and prays for time to file a reply.

Let the reply be filed within a period of four weeks from today with an advance copy to the learned counsel appearing on behalf of the petitioner, who may file rejoinder thereto, if any, within a period of two weeks thereafter.

List on 16.10.2018.”

2. It is the submission of Mr. Akhil Sibal, learned counsel for the appellant that the learned Single Judge while issuing notice, has not considered CM No. 33789/2018 filed for stay of the impugned order dated August 01, 2018. According to him, the effect of the order is that the appellant is required to refund the fee already claimed from the parents. According to him, the learned Single Judge should have considered the application and pass orders.

3. We are not impressed with the submission made by Mr. Sibal for the simple reason that the said order does not reject the prayer of the appellant for stay. The learned Single Judge has only granted time to the parties to complete the pleadings and has posted the matter on October 06, 2018, when surely the appellant would be within its right to press CM No. 33789/2018 for stay.

4. We do not see any reason to interfere with the impugned order. The appeal is dismissed. No costs.

CHIEF JUSTICE

V. KAMESWAR RAO, J

AUGUST 28, 2018/ak