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

+ **LPA 725/2017 & CM APPL. 41043-41047/2017**

GOVT OF NATIONAL CAPITAL TERRITORY OF DELHI &
ANR Appellant

versus

MOUNT CARMEL SCHOOL & ANR Respondents

LPA 726/2017 & CM APPL. 41053-41057/2017

GOVT OF NATIONAL CAPITAL TERRITORY OF DELHI & ANR
..... Appellant

versus

SOMERVILLE SCHOOL & ORS Respondents

Present : Mr. Gautam Narayan, ASC with Mr. R.A. Iyer and
Ms.Mahamaya Banerjee, Advs. for the appellant.
None for the respondents.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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15.01.2018

These two appeals by the Govt. of NCT of Delhi challenge the order of the learned Single Judge, which directed that the notification dated 7.1.2017 as far as it relates to the writ petitioners be stayed till the disposal of the writ proceedings.

The Govt. of NCT of Delhi urges that the observations made in the course of the impugned order would amount to a final decision on merits. This Court is of the opinion that the tenor and the purport of

the order clearly meant that it operates only a prima facie view to aid the interim relief granted. Learned Single Judge has no doubt cited several judgments, but, they are merely to support his prima facie view. Having considered the issue and also taken into account the fact that the writ petitions are scheduled for hearing tomorrow, the Court is of the opinion that the appeals should not be entertained. Having regard to the overall circumstances, this Court is of the opinion that the learned Single Judge may consider to dispose of the writ proceedings finally expeditiously, at his convenience. Furthermore, the observations made in the impugned order, obviously, would not be treated as in any manner conclusive of the merits of the case in the pending cases. The appeals are disposed of in the above terms.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JANUARY 15, 2018

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