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

Date of Decision: 13.08.2019

+ **W.P.(C) 8491/2019**

UNITED SHIKSHA SAMITI Petitioner

Through: Mr. Sachin Mishra, Mr. Lokik
Sharma & Mr. Ayush Dua, Advs.

versus

GOVERNMENT OF NCT OF DELHI AND ORS..... Respondents

Through: Ms. Shweta Anand, Adv. for
Ms.Shobhana Takiar, Adv. for R-1 & R-3
Mr. Amit Bansal, Standing Counsel with
Ms.Seema Dolo, Adv. for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This so called public interest litigation has been preferred with the following prayers:

- “a. Issue an appropriate writ, order or direction to the Respondent no. 2 to clarify its circular dated 20.05.2019 with immediate effect so as to ensure that the requirement of physical presence of parents for the purpose of admission is done away with.*
- b. Issue an appropriate writ, order or direction to the Respondent no. 1 to ensure that the entire process of admission to Respondent no.3 be made*

online so as to ensure transparency and feasibility for the genuine applicants.

- c. Issue directions to Respondent no.3 to ensure that the mandatory requirement of students attending classes be done away with since Patrachar is for the students who are interested in studying through Correspondence.*
- d. Issue appropriate directions to Respondent no.1 and 3 to ensure that last date of admission process is extended from 16.08.2019 so as to enable genuine interests to apply for the current academic session without the requirement of physical presence of parents.”*

2. Having heard the counsels for both sides and looking into the facts and circumstances of the case, it appears that neither respondent No.2 nor respondent No.3 are necessitating the presence of both the parents for admission of students in standard Xth or XIIth.

3. Counsel appearing for respondent No.3 submitted that they have already admitted 737 students in class Xth and XIIth without there being any necessity for the presence of both the parents as pointed out in the circular dated 20th May, 2019. Similar is the contention of the counsel appearing for respondent No.2, who has issued the circular dated 20th May, 2019.

4. Counsel appearing for respondent No.2 submitted that the requirement of presence of both the parents at the time of admission is also waived in several cases. The main aim to be achieved by respondent No.2 is that too many applications are coming for change of date of birth and to avoid this type of applications coming up with the respondent No.2, this precaution is being taken. Nonetheless, there is a misreading of the circular dated 20th may, 2019 by the petitioner. In fact, presence of both the parents are not at all required at the time of admission in Class Xth and XIIth.

5. In view of the above, this writ petition stands disposed of with no order as to costs.

CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 13, 2019
ns

