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

+ **W.P.(C) 8760/2019**

SETH BHAGWAN DASS SR. SEC. PUBLIC
SCHOOL(RECOGNISED)

..... Petitioner

Through: Mr Santosh Rani, Advocate.

versus

DIRECTORATE OF EDUCATION AND ANR. Respondents

Through: Mr Ramesh Singh, Standing Counsel,
GNCTD with Mr Chirayu Jain and
Mr Ishan Agarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.08.2019

CM No. 36269/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 8760/2019 & CM No. 36268/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 (Directorate of Education) not to withdraw the recognition granted to the said school. The petitioner apprehends that the recognition granted to the school would be revoked pursuant to the show cause notice dated 26.07.2019, whereby respondent no.1 has called upon the petitioner to submit an explanation for not having a valid Fire Safety Certificate within a period of seven days.

3. The petitioner claims that it does not have a Fire Safety Certificate as

the school building was found wanting in regard to certain fire safety measures.

4. Mr Ramesh Singh, learned counsel appearing for the respondents has referred to a letter dated 07.06.2019 sent by the Chief Fire Officer (respondent no.2), pointing out certain shortcomings. The petitioner claims that all the shortcomings except one which pertains to width of the staircase, have been addressed. Respondent no.2 had directed that the staircase should be of a minimum width of 1.5 metres, which has not been complied with.

5. The petitioner claims that the school building is an old building and the school is being run from the current premises since 1988. The width of the internal staircase is only 0.95 metres. This is disputed by respondent no.2 as according respondent no.2, the width of the staircase is 0.80 metres. The petitioner also states that there is another staircase of a similar width.

6. The learned counsel appearing for the petitioner submits that the petitioner's predicament is that the width of the staircase cannot be widened without bringing down the entire building. However, the petitioner would be ready and willing to remove all shortcomings as are necessary for making the building safe from fire hazards.

7. Mr Ramesh Singh fairly states that respondent no.2 would inspect the premises in question and also find out if the said building could be made safe from the stand point of respondent no.2, including by providing other measures including construction of an additional staircase.

8. In view of the above, respondent no.2 shall inspect the premises of the petitioner to ascertain whether the petitioner has addressed other shortcomings and to indicate any other measures, that are required to be

taken keeping in view the petitioner's difficulty in widening the staircase in question. Let the said inspection be taken place within a period of two weeks from today. The petitioner would, thereafter, be given sufficient time to address the issues that may be raised by respondent no.2 and to put in place additional measures that may be required. Clearly, safety of the children studying at the petitioner school cannot be compromised in any manner.

9. In the meanwhile, respondent no.1 shall not take any precipitate steps for de-recognising the petitioner school. It is clarified that the petitioner would have to satisfy respondent no.2 in all respects regarding fire safety and if the petitioner is unable to put in place sufficient measures, within a reasonable period of time, respondents are at liberty to take all steps as available in law including cancellation of the recognition granted to the petitioner.

10. The petition is disposed of with the aforesaid observations. The pending application is also disposed of.

AUGUST 13, 2019
MK

VIBHU BAKHRU, J