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

+ **W.P.(C) 10280/2018 & CM APPL.40046/2018 (stay)**

ST COLUMBA'S SCHOOL

..... Petitioner

Through Mr. Romy Chacko with Mr. Ojasvi
Sharma, Advocate.

versus

**DELHI COMMISSION FOR PROTECTION OF CHILD RIGHTS &
ORS**

..... Respondents

Through Mr. A.K. Singh, Advocate for
respondent No.1.
Mr. Gautam Narayan, ASC, GNCTD.
Mr. Shayuk Kumar, Advocate for
respondent No.3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **13.12.2019**

W.P.(C) 10280/2018 & CM APPL.40046/2018 (stay)

1. Petitioner school is aggrieved by the directions issued by the Delhi Commission for Protection of Child Rights directing the petitioner school to allow respondent No.3 to continue in Science stream.

2. Respondent No.3 is the student of the petitioner school and after passing class 10 opted for Science stream but the school allocated him the stream of Commerce. Since the school did not allocate him his desired stream on the basis of the criteria laid down by the school, he approached the Delhi Commission for Protection of Child Rights and the impugned directions were issued by the Delhi

Commission for Protection of Child Rights.

3. Learned counsel for the petitioner school submits that respondent No.3 has continued in the Commerce stream for 2 years and is now appearing for the 12th Board examinations in the Commerce stream and as such, the petition has become infructuous.

4. Learned counsel appearing for the respondent No.3 child also submits that he has continued in Commerce stream and is appearing for the Board examination in Commerce stream and it is not possible for him to switch streams any longer.

5. Accordingly, the question raised by the respondent No.3 about the criteria fixed by the school and the question raised by the petitioner school about the power of the Delhi Commission for Protection of Child Rights to issue direction to the school to allocate a particular stream, has become purely academic, in the facts and circumstances of the case.

6. Accordingly, the petition is disposed of leaving the question raised by the child as well as the school open to be decided in appropriate proceedings, if any, filed in future.

SANJEEV SACHDEVA, J

DECEMBER 13, 2019
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