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

+ **W.P.(C) 2454/2020**

VISHAKHA

..... Petitioner

Through Mr. D.K. Yati and Mr. Sahib
Malhotra, Advs.

versus

C.B.S.E. & ANR

..... Respondents

Through Mr. Amit Bansal and Ms. Seema
Dolo, Advs. for R-1/CBSE.
Mr. Pramod Gupta, Ms. Pragya
Agrawal and Ms. Deepati Verma,
Advs. for R-2/School.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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04.03.2020

1. This writ petition is bereft of any enforceable right.
2. The order dated 14.11.2019, passed in W.P.(C) No.7877/2019, filed by the petitioner's father was carried in appeal to the Division Bench.
3. The Division Bench, vide order dated 24.1.2020, passed in LPA No.51/2020, while disposing of the appeal, made the following operative observations:

"3. After addressing arguments at admission for some time, learned counsel for the appellant seeks leave to withdraw the present appeal while reserving the right of his client to approach S.D. Public School with a request to pay the school fee of his ward in instalments.

4. Leave as prayed for is granted. The present appeal is dismissed as not pressed alongwith the pending application. If the appellant submits a representation to the S.D. Public school, as stated above, the same shall be considered and decided in accordance with law, under due intimation to the appellant."

4. The petitioner, thereafter, appears to have made representations to respondent no.2 school.
5. These representations have been dealt with by respondent no.2 school vide communication dated 17.2.2020.
6. I am also informed by counsel for respondent no.2 school, who appears on advance notice, that there was another communication dated 3.2.2020, sent by the said respondent to the petitioner's parent, which has not been appended with the writ petition.
7. I must also indicate that in the instant writ petition, all orders passed by me in W.P.(C) No.7877/2019, in particular, orders dated 11.9.2019 and 13.9.2019, have not been placed on record.
8. A perusal of these orders would show that an opportunity was given to the petitioner's father i.e. Mr. Shyam Singh at the relevant time to deposit the fee in instalments. It was after the petitioner was unable to pay the fee, with the consent of the petitioner's father, order dated 14.11.2019 was passed and directions were issued to admit the petitioner in a school which was adjoining to respondent no.2 school i.e. S.S.D. Girls School.
9. Having regard to the record of the instant case and the orders passed in the earlier writ petition, I am of the view that this writ petition cannot be entertained.
11. The writ petition is, accordingly, dismissed.

MARCH 04, 2020/rb

RAJIV SHAKDHER, J