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

+ W.P.(C) 4587/2019

RAKESH SHARMA AND ANR.

..... Petitioners

Through Mr. Narender Kumar Upadhyay and
Mr. Vishnukant, Advs.

versus

V. S. P. K. JUNIOR SCHOOL AND ORS.

..... Respondents

Through Ms. Vijay Laxmi Mewara, Adv. for
R-1
Mr. Dhanesh Relan, Standing
Counsel with Ms. Komal Sorout and
Ms. Kajri Gupta, Advs. for DDA.
Ms. Hetu Arora Sethi, ASC with Mr.
Siddharth Agarwal, Adv. for DOE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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06.02.2020

1. Pursuant to the last order dated 23.12.2019, the DOE has filed its second status report.
2. The record of this Court would show that I had asked DOE to carry out a field inquiry as to whether or not the four students referred to in the earlier order i.e. order dated 16.12.2019 continued their admission to respondent No.1 school.
3. The status report of the DOE being brief is extracted hereafter :

“In compliance of Hon'ble High Court of Delhi order dated 23/12/2019 in W.P(C) 4587/2019, Title: Rakesh Sharma & ors Vs VSPK & Ors., the matter was inquired by OSD, Zone-XI, Distt. NW-B, regarding admission status of following students:

W.P.(C) 4587/2019

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1. Shanvi Dogra

2. Vanshika

3. Dhriti

4. Rudra Gupta

In VSPK International Junior School, Pitampura, Delhi 110034.

In this process, the parents of the above students were called on in the office of DDE, Zone XI, Distt. NW-B and have taken their statements as under:

1. Shanvi Dogra

Sh. Sanjeev Kumar Father of Shanvi Dogra was present in the office of DDE, Zone XI Distt. NW-B on 18/01/2020 and has given his statement in written that my daughter Shanvi Dogra is studying at present in UKG class in VSPK International, Junior School, Pitampura and I want to continue her study in VSPK the same school.

2. Vanshika

Sh. Virender Singh Father of Vanshika was present in the office of DDE, Zone XI Distt. NW-B on 09/01/2020 and has given his statement in written that my daughter Vanshika is studying in Nursery class in VSPK International, Junior School, Pitampura and I want to continue her study in VSPK the same school.

3. Dhriti

Sh. Lalit Rana Father of Dhriti was present in the office of DDE, Zone XI Distt. NW-B on 09/01/2020 and has given his statement in written that my daughter Dhriti is studying in St. Angle Junior School and I want to continue her study in St. Angle School.

4. Rudra Gupta

Sh. Devi Lai Gupta father of Rudra Gupta was present in the office of DDE, Zone XI Distt. NW-B on 09/01/2020 and has given his statement in written that my son Rudra Gupta is studying in Nursery class in VSPK International, Junior School, Pitampura and I want to continue his study in VSPK the same school.

In view of above It Is stated that three students (1. Shanvi Dogra 2. Vanshika 3. Rudra Gupta) are studying in VSPK, International School Junior, and their parents are Interested to continue of their wards study in VSPK, International School Junior, Pitampura, Delhi 110034. Their statements are annexed as Annexure A-1 (Colly). Dhriti is studying at present in St. Angle Junior School and her father is interested to continue her study in St. Angle Junior School. Annexure A-2.”

4. A perusal of the DOEs status report would show that, out of four students, three i.e. Shanvi Dogra, Vanshika and Rudra Gupta have continued their admission with respondent no.1 school.

5. Insofar as Dhriti is concerned, though she was, it appears, initially admitted to respondent no.1 school, she has, it appears, taken admission in another school i.e. St. Angel Junior School.

5.1 Dhriti was admitted to respondent no.1 school in the K.G. class.

6. Insofar as the instant writ petition is concerned, it concerns Devanshi Sharma, who is the daughter of petitioner no.1 i.e. Rakesh Sharma and Ishika Chabara, who is daughter of petitioner no.2 i.e. Mr. Inderjeet.

7. Therefore, for the moment, admission can only be granted to Ishika Chabara, daughter of petitioner no.2 in respondent no.1 school against the seat of Dhriti. It is ordered accordingly.

8. For this purpose, petitioner no.2 i.e. Mr. Inderjeet will present himself in the office of the Principal of respondent no.1 school along with his ward (i.e. Ishika Chabara) on 11.2.2020 at 11:00 a.m. to fulfil the requisite formalities.

9. Since DOE has reported that the other three students have continued their admission with respondent no.1 school, presently, it appears, there is no vacancy in respondent no.1 school.
10. Mr. Upadhyay, however, relies upon his rejoinder to contend that Ms. Vanshika is a student of VSPK International School- Junior located in Sector 13, Rohini, Delhi-110085 and not respondent no.1 school.
11. It is stated by Mr. Upadhyay that the stand taken by respondent no.1 school that Vanshika continues her admission with respondent no.1 school is false.
12. Ms. Mewara, who appears for respondent no.1 school has brought the original record concerning Vanshika.
13. I have perused the registration form concerning Vanshika.
14. The registration form points in the direction that Vanshika was admitted to VSPK International School- Junior which is located in Pitampura, Delhi-110034.
15. To be noted, in the petition, the description of respondent No.1 school is not set forth correctly.
16. Respondent No.1 school ought to have been described as VSPK International School- Junior and not VSPK Junior School.
17. Notwithstanding this aspect of the matter, there is nothing on record which would have me believe and that too merely based on a photocopy of the identity card which purports to be that of Ms. Vanshika that she stands admitted to VSPK International School located in Sector 13, Rohini, Delhi-110085.

18. In these circumstances, the petition is disposed of in the aforesaid terms.

19. The original record is returned to the counsel for respondent no.1 school.

RAJIV SHAKDHER, J

FEBRUARY 06, 2020/rb