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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8654/2019& CM APPL. 35738/2019

RAJA RAO BAHADUR SINGH PHYSICAL EDUCATION
COLLEGE

..... Petitioner

Through Mr. Mayank Manish and Mr. Ravi
Kant, Advs

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ANR.

..... Respondents

Through Mr. Shreeyash Lalit and Mr. Jaideep
Khanna, Advs. for Mr. Shivam Singh,
Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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13.01.2020

1. The substantive prayer made in the writ petition are as follows:

*“i. Issue an appropriate writ[s]/direction[s] or
order[s] quashing of the NCTE order dated
16.04.2019 and WRC withdrawal of recognition
order dated 03.10.2018”*

2. Notice in this writ petition was issued on 9.8.2019 when the respondents were represented by Mr. Dwivedi, advocate.

3. Since then the respondents have not filed a counter affidavit in the matter.

4. The short point that Mr. Joshi, who appears for the petitioner seeks to articulate at this stage is that even though the purported deficient documents were available before the appeal committee of the

NCTE the same were not taken into account while passing the impugned order.

5. As would be noticed from the prayer extracted hereinabove, the petitioner has impugned not only the order dated 16.4.2019 passed by the appeal committee but has also impugned the order of the Western Regional Committee (WRC) passed on 31.8.2018.

6. The record shows that the WRC vide order dated 3.10.2018 withdrew recognition qua the petitioner in respect of the BPED course it offered to eligible candidates.

7. Prior to the issuance of the order dated 3.10.2018, the petitioner had been issued a show cause notice dated 01.02.2017 concerning the non-compliance of the revised recognition order.

8. To be noted, the revised recognition order was issued on 18.5.2015 whereby the petitioner's recognition was made subject to fulfilment of the following conditions:

(i) Submission of Original Staff Profile as approved by the affiliating body concerning academic session 2016-2017.

(ii) Originally notarized (not Xerox) CLU, NEC, Building Plan and Building Completion Certificate.

9. It is the petitioner's case that the reply dated 14.2.2017 was dispatched, *albeit, via* ordinary post.

10. The petitioner also claims that a representation/written submission was tendered to the Appeal Committee on 26.2.2019 wherein this aspect was brought put forth.

11. The Appeal Committee, however, rejected the appeal and sustained the order of the WRC dated 03.10.2018. This order, as

indicated above, was passed by the Appeal Committee on 16.4.2019.

12. Learned counsel for the petitioner has drawn my attention to the appeal lodged before the Appeal Committee which is marked as annexure P-6. The translated copy is appended at page 86 of the paper book.

13. Mr. Manish has, in particular, emphasised on the enclosures appended to the appeal. There are six enclosures to the appeal. These are :

(i) Original Signed Teaching Staff Profile.

(ii) Notarized CLU.

(iii) Notarized non-encumbrance Certificate.

(iv) Notarized Building Plan of Additional Constructed Area.

(v) Notarized Building Completion Certificate

(vi) Show Cause Notice and Withdrawal order issued by NCTE-WRC.

14. The five enclosures, according to Mr. Manish, should have been sufficient for the Appeal Committee to conclude one way or the other on the merits of the matter.

15. According to Mr. Manish, as indicated hereinabove, the Appeal Committee simply rejected the appeal of the petitioner solely on the ground that the reply to the show cause notice was not on record.

16. On the other hand, learned counsel for the respondent says that the order of the Appeal Committee should be sustained.

17. Learned counsel also submits that a perusal of the documents would show that they are still deficient and, therefore, even on merits, no relief could have been granted to the petitioner.

18. Having heard the learned counsel for the parties and perused the record, to my mind, at this stage, the only aspect with which the Court is concerned is as to whether or not the Appeal Committee ought to have been taken into account the documents which were placed before it alongwith the appeal.

19. A perusal of the impugned order passed by the Appeal Committee would show that no such exercise was carried out by the Appeal Committee.

20. This is evident from a perusal of the following part of the order passed by the Appeal Committee:

“AND WHEREAS Appeal Committee further noted that a Show Cause Notice (SCN) dated 01/02/2017 was issued to appellant institution seeking written representation for non-compliance. Appeal Committee noted that relevant regulatory file does not contain any reply to S.C.N. whereas appellant in its written submission made on 26/02/2019 has stated that a reply was sent by ordinary post. On being asked appellant could neither submit copy of the letter by which required documents were sent nor any other evidence in support of its claim of having sent a reply. Appeal Committee observes that the impugned order of withdrawal dated 03/10/2018 is on the ground of non-compliance of regulatory provision and non submission of reply to S.C.N. dated 01/02/2017. Onus lay on the appellant institution to submit concrete evidence of having submitted a reply. The appellant could not even submit a copy of its forwarding letter by which, it claimed, to have sent a reply. It was the responsibility of the appellant institution to have retained true copies of all the documents which, it claimed, to have sent by ordinary post. Appellant institution has not furnished even the date on which relevant documents were furnished to W.R.C. In the given circumstances, Appeal Committee decided to confirm the impugned order of withdrawal dated 03/10/2018 issued by

W.R.C.”

21. The issue concerning the obligation of the Appeal Committee to take into account documents filed before it, which, for one reason or the other were not placed before the concerned regional committee, is no longer *res integra*. In this behalf, reference be made to the following judgments:

(a) W.P.(C) No.3231/2016, titled Rambha College of Education vs. National Council for Teacher Education & Anr. passed on 23.02.2017;

(b) The judgments reiterated in W.P.(C) No.13542/2019, titled ABC College of Education & Anr. vs. National Council for Teacher Education & Anr. dated 20.12.2019.

22. Thus, having regard to the foregoing, the impugned orders are set aside.

23. The matter is remitted to the WRC for a fresh consideration.

24. The WRC will take into account the documents filed by the petitioner with the Appeal Committee.

25. The WRC will afford an opportunity of personal hearing to the authorised representative of the petitioner and thereafter pass a speaking order.

RAJIV SHAKDHER, J

JANUARY 13, 2020

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

+ **W.P.(C) 492/2020**

DHARAMVIR

..... Petitioner

Through : Mr. G.L. Verma, Adv.

versus

DELHI DEVELOPMENT AUTHORITY & ORS Respondents

Through : Mr. Mukesh Gupta, Standing Counsel
with Mr. Mayank Ahuja, Adv. for
North DMC/R-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.01.2020**

1. The petitioner is aggrieved by the illegal religious structure situate at Pocket-9, Sector-24, Rohini, Delhi. According to the petitioner, the said structure was unauthorizedly constructed in the middle of the road over sewage and water pipeline.
2. The petitioner is also aggrieved by the use of loud speakers at odd hours which, according to him, causes immense nuisance.
3. Mr. Mukesh Gupta, who appears on behalf of respondent no.3/North Delhi Municipal Corporation, says that he will take instructions as to whether or not there is a committee in place which deals with such like matters.
4. At request, renotify the matter on 27.01.2020.

RAJIV SHAKDHER, J

JANUARY 14, 2020/aj

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

+ W.P.(C) 464/2020

LEELA DHAR GUPTA

..... Petitioner

Through: Mr. Mukesh Anand with Ms. Sweta
Rani and Mr. Shiv Shankar Mishra,
Advocates.

versus

EAST DELHI MUNICIPAL CORPORATION AND
ORS.

..... Respondents

Through: Ms. Ankita Bhadouriya, Advocate for
respondent no. 1.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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14.01.2020

CM APPL.1269/2020 (Exemption)

1. Allowed, subject to just exceptions.

W.P.(C) 464/2020

2. Counsel for the petitioner says that pursuant to the order dated 08.02.2019 passed by this Court in W.P. (C) No. 1567/2018, the petitioner had approached the Special Task Force (in short "STF") constituted under the orders of the Supreme Court passed in Writ Petition (Civil) No. 4677/1985, titled *M.C. Mehta vs. Union of India & Ors.*

3. It is stated that the complaint was made with the STF on 22.04.2019.

4. According to the counsel for the petitioner, there has been no movement in the matter.

5. Counsel for the petitioner is directed to place on record not only the orders of the Supreme Court in the aforementioned matter but also the Memorandums dated 25.04.2018 and 23.05.2018 which, I am told, concern the STF.

6. Ms. Ankita Bhadouriya who, appears on advance notice on behalf of the respondent no. 1/EDMC will also attempt to place the same on record.

7. At request of counsel for the parties, renotify the matter on 13.02.2020.

RAJIV SHAKDHER, J

JANUARY 14, 2020

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

+ W.P.(C) 3535/2016 & CM APPL. 15131/2016 & 17487/2016

RYAN INTERNATIONAL SCHOOL Petitioner

Through Ms. Ojasvi Sharma, Adv.

versus

DIRECTOR OF EDUCATION & ANR Respondents

Through Mr. Santosh Kr. Tripathi, ASC with
Ms. Manisha and Mr. Rajat Mangla,
Advs. for GNCTD.

Mr. Mukesh Kumar, Adv. for DDA.

+ W.P.(C) 3658/2016 & CM APPL.15667/2016

SOMERVILLE SCHOOL Petitioner

Through Ms. Ojasvi Sharma, Adv.

versus

DIRECTOR OF EDUCATION & ORS Respondents

Through Mr. Santosh Kr. Tripathi, ASC with
Ms. Manisha and Mr. Rajat Mangla,
Advs. for GNCTD.

Mr. Mukesh Kumar, Adv. for DDA.

+ W.P.(C) 4455/2016 & CM APPL.18594/2016

RYAN INTERNATIONAL SCHOOL Petitioner

Through Ms. Ojasvi Sharma, Adv.

versus

DIRECTOR OF EDUCATION & ANR Respondents

Through Mr. Santosh Kr. Tripathi, ASC with
Ms. Manisha and Mr. Rajat Mangla,
Advs. for GNCTD.

Mr. Mukesh Kumar, Adv. for DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.01.2020**

1. A request for accommodation is made on behalf of counsel for

the petitioners i.e. Mr. Romy Chacko. The request is not opposed by the counsel for respondents.

2. Accordingly, renotify the matters on 16.7.2020.

JANUARY 14, 2020
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RAJIV SHAKDHER, J

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

+ W.P.(C) 443/2020

RASHTRIY HIGHER SECONDARY SCHOOL Petitioner

Through : Mr. Sanjay Sharawat, Mr. Divyank
Rana and Mr. Ashok Kumar, Advs.

versus

CENTRAL BOARD OF SECONDARY EDUCATION.. Respondent

Through : Mr. Amit Bansal and Ms. Seema
Dolo, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.01.2020**

1. Mr. Amit Bansal, who appears on advance notice on behalf of the respondent, says that he needs to take instructions as to why inspection ordered by the CBSE was not conducted.

2. Via the impugned order dated 17.08.2019, which is passed by the CBSE, the petitioner school's online application for provisional affiliation up to secondary level stands rejected. This order though adverts to the fact that the Committee constituted on 03.02.2016 did not conduct inspection of the petitioner school within the stipulated time frame.

2.1 The impugned order also finds fault with the petitioner school in not approaching the CBSE within time.

2.2 However, the petitioner school, *via* the very same order has been given leave to apply afresh, albeit, in academic session 2021-2022.

3. To my mind, *prima facie*, the impugned order does not appear to be sustainable for the reason that if the Committee constituted did not carry out an inspection, the CBSE cannot place the entire blame on the petitioner school.
4. As regards the limitation being put against the petitioner school, according to Mr. Sharawat, there is no limitation prescribed under the statutory dispensation, presently in place.
5. Furthermore, Mr. Sharawat says that the petitioner school's application for seeking provisional affiliation was processed by the CBSE in the first instance and thereafter a letter pointing out deficiencies was issued on 20.11.2015.
- 5.1 It is Mr. Sharawat's submission that the petitioner school had responded to the same vide communication dated 16.12.2015 and that the CBSE thereafter took no steps in the matter.
6. Mr. Bansal says that he will revert with instructions.
7. Accordingly, issue notice to the respondent.
8. Mr. Amit Bansal accepts notice on behalf of the respondent. Learned counsel will revert with instructions.
9. In case, instructions are received to resist the petition, a counter affidavit will be filed before the next date of hearing.
10. Renotify the matter on 10.02.2020.

RAJIV SHAKDHER, J

JANUARY 14, 2020

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

+ **W.P.(C) 459/2020 & CM APPL. 1259/2020**

GAGAN KHANNA

..... Petitioner

Through: Mr. Umesh Sharma, Advocate.
versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Through: Mr. Arun Birbal with Mr. Sanjay
Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.01.2020**

CM APPL.1260/2020 (Exemption)

1. Allowed, subject to just exceptions.

W.P.(C) 459/2020 & CM APPL. 1259/2020

2. Issue notice to the respondent.

3. Mr. Arun Birbal accepts notice on behalf of the respondent.

4. In view of the directions that I intend to pass, counsel for the respondent says that he does not wish to file a counter-affidavit.

5. There are two prayers made in the writ petition. The same reads as follows:

*“(I) Writ, Order or direction in the nature of **MANDAMUS** or any other appropriate writ, order or direction in favour of the petitioner, and against the respondents thereby directing the respondents No.1 to take a definitive action on the complaint dated 27/6/19, 6/8/19, 22/7/19 & 21/11/19 filed by the Petitioner and conclude the same within time bound matter.*

*(II) Writ, Order or direction in the nature of **MANDAMUS** or any other appropriate writ, order or direction in favour of the petitioner, and against the respondent to refer the matter to Central Bureau of Investigation for investigation of the matter to determine the indulgence and delinquency of the staff of DDA in fabrication of documents and issuing fake, forged and fabricated documents without any authority with regard to the property of the petitioner bearing No. BF-27, Tagore Garden , New Delhi.”*

6. A perusal of the record shows that against the family members of the petitioner, an FIR has already been filed.

6.1 I am informed that this FIR is numbered as 503/2017 and is dated 01.09.2017. The same is filed with Police Station Rajouri Garden, New Delhi.

6.2 This FIR was registered on the complaint of an official of the DDA, one, Mr. R.K. Puri, Deputy Director of DDA.

7. The petitioner is entangled in a dispute with his relatives, which, *inter alia*, include his uncle and his cousin concerning the subject property i.e. BF 27, Tagore Garden, New Delhi.

7.1 The aforementioned FIR is the off shoot of this dispute.

7.2 The petitioner claims that the officials of the DDA are also complicit in the offences committed by his relatives.

7.3 The petitioner in this behalf appears to have lodged several complaints which are dated 27.06.2019, 06.08.2019, 22.07.2019 and 21.11.2019.

8. As is evident from the prayer Clause “I”, the petitioner seeks issuance of a direction to the DDA with respect to the aforementioned complaints.

The petitioner, in sum, wants DDA to deal with his complaints.

8.1 Besides this, in prayer clause “II”, the petitioner seeks direction from this Court that the matter be referred to the Central Bureau of Investigation (in short “CBI”) to ascertain the involvement of the DDA officials with regard to fabrication of documents pertaining to the subject property.

9. To my mind, since an FIR has already been lodged and the investigation is on, it would surely be open to the Investigating Officer to carry a 360 degree enquiry and, if involvement of the DDA officials is found, they could also be arrayed as accused.

9.1 In any event, the DDA at its own end should also carry out an enquiry and take appropriate action, if it finds any merit in the aforementioned complaints lodged by the petitioner.

9.2 The DDA could also refer the matter to the Chief Vigilance Officer (CVO) or police, if it finds that its officials are also complicit in fabrication of the documents of the subject property as alleged by the petitioner.

9.3 Thus, not doing anything in the matter is not an option for the DDA.

9.4 However, the prayer sought in the writ petition that the matter be referred to CBI, in my view, at this stage, is unmerited in view of the fact that Delhi police is already investigating, even according to the petitioner, core aspect of the accusation which is the subject matter of the aforementioned FIR.

10. Therefore, the writ petition is closed with a direction to the DDA to deal with the above referred complaints filed by the petitioner within eight weeks from today.

10.1 In case, the DDA finds any merit in the complaint, it will take appropriate action in the matter.

11. As noted above, the prayer sought in Clause “II” is unmerited and therefore, rejected.

RAJIV SHAKDHER, J

JANUARY 14, 2020

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

+ W.P.(C) 6398/2019 & CM APPL. 27222/2019

M/S SRIYASH SECURITIES PVT. LTD. Petitioner

Through: Mr. Shashank S. Mangal, Adv.

versus

RESERVE BANK OF INDIA Respondent

Through: Mr. Ramesh Babu with Ms. Manisha
Singh and Ms. Nisha Sharma, Advs.
for RBI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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14.01.2020

1. Mr. Ramesh Babu, who appears for the respondent/RBI says that the counter affidavit is ready and the same will be filed during the course of day. A copy of the same has been furnished to the petitioner.

2. Rejoinder thereto, if any, be filed before the next date of hearing.

3. I may only indicate that the petitioner, which is an NBFC is aggrieved by the fact that its Certificate Of Registration (COR) was cancelled by the RBI for not achieving the prescribed Net Owned Fund (NOF) bar within the defined timeline.

3.1 It is the petitioner's case that time was sought for achieving the NOF of Rs.2 Crores and that, presently, in any event, it has achieved the said level. For this purpose, the petitioner seeks to place reliance on the Auditor's Certificate, which is marked as Annexure P-8 and is appended on page 77 of the paper book.

4. Apart from anything else, without prejudice to the respondent's/RBI's rights and contentions, Mr. Ramesh Babu will obtain instructions as to whether the petitioner's case for restoration of COR can be considered given the fact that today the petitioner has a NOF of Rs.2 crores.
5. Renotify the matter on 14.4.2020.

RAJIV SHAKDHER, J

JANUARY 14, 2020/pmc

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

+ W.P.(C) 13502/2019

RAJASTHAN DELHI EDUCATION SOCIETY &

ANR

..... Petitioners

Through Mr. Amitesh Kumar, Ms. Binisa
Mohanty and Ms. Priti Kumari, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION &

ANR

..... Respondents

Through Mr. Arunima Dwivedi, Standing
Counsel with Ms. Niharika Rai, Adv.
for NCTE.

+ W.P.(C) 13533/2019

VINDHYA SHIKSHA AVAM SWASTH SAMITI &

ANR.

.... Petitioners

Through Mr. Amitesh Kumar, Ms. Binisa
Mohanty and Ms. Priti Kumari, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION &

ANR

..... Respondents

Through Mr. Arunima Dwivedi, Standing
Counsel with Ms. Niharika Rai, Adv.
for NCTE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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15.01.2020

1. No counter-affidavit has been filed on behalf of respondents.

2. Ms. Dwivedi accepts that the issue which arises in the
captioned matters is covered by the judgment of this Court dated

18.10.2019, passed in W.P.(C) No.8820/2019, titled Chottu Ram Jat College of Education vs. National Council for Teacher Education & Anr. and an order dated 11.12.2019, passed in W.P.(C) No.13089/2019, titled R.C. Education Society & Anr. vs. NCTE & Anr.

3. Accordingly, the captioned writ petitions are allowed.
4. The impugned orders are set aside.
5. The directions contained in the aforementioned judgments will apply *mutatis mutandis* to the petitioners in the captioned cases as well.
6. Needless to add, the respondents will act with due expedition and complete the exercise of processing the applications filed by the petitioners in the captioned matters *qua* the concerned courses.
7. The exercise, in any event, will be completed within ten (10) weeks of receipt of the copy of the order.

RAJIV SHAKDHER, J

JANUARY 15, 2020
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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11903/2009 & CM APPL. 12032/2009**

RAJ RANI

..... Petitioner

Through : **Mr. Manish Sangwan, Adv.**

versus

DDA & ORS.

..... Respondents

Through : **Mr. Santosh Kumar Tripathi, ASC**
with **Mr. Rajat Mangla, Adv. for R-3.**

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

15.01.2020

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1. An adjournment slip has been moved on behalf of the petitioner, to which, no objection has been granted by the respondents.
2. Accordingly, at request, renotify the matter on 30.07.2020.

RAJIV SHAKDHER, J

JANUARY 15, 2020

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

+ **W.P.(C) 551/2020**

RAJEEV GANDHI SHIKSHA MAHAVIDYALAYA..... Petitioner

Through: Mr. Ravi Kant with Mr. Mayank
Manish, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR. Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai,
Advocates.

+ **W.P.(C) 552/2020**

INDRASAN SHIKSHA SANSTHAN MAHAVIDYA
LAYA Petitioner

Through: Mr. Ravi Kant with Mr. Mayank
Manish, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR. Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai,
Advocates.

+ **W.P.(C) 553/2020**

BABA SARVJEET GIRI SAMARAK MAHAVIDYA
LAYA Petitioner

Through: Mr. Ravi Kant with Mr. Mayank
Manish, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR. Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai,
Advocates.

+ **W.P.(C) 559/2020**

GHANSHYAM GIRI GIRLS COLLEGE OF
EDUCATION

..... Petitioner

Through: Mr. Ravi Kant with Mr. Mayank
Manish, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR. Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai,
Advocates.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% 15.01.2020

1. Issue notice to the respondents.
2. Ms. Arunima Dwivedi accepts notice on behalf of the respondents.
3. Counter-affidavit be filed within seven days.

4. Rejoinder thereto, if any, be filed before the next date of hearing.
5. Renotify the captioned matters on 22.01.2020.

RAJIV SHAKDHER, J

JANUARY 15, 2020

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

+ W.P.(C) 7741/2019 CM APPL. 32119/2019

TANISH PARCHA (MINOR) THROUGH HIS NEXT FRIEND
AND MOTHER JAIVINDRI Petitioner

Through Mr. Ashok Agarwal and Mr. Kumar
Utkarsh, Advs.

versus

NAVODAYA VIDYALAYA SAMITI & ORS Respondents

Through Mr. Anil Dabas and Mr. Praveen
Kumar, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **15.01.2020**

1. There is no representation on behalf of respondent nos.1 and 3.
- 1.1 The record shows that Mr. S.Rajappa has been appearing for the said respondents.
2. However, respondent no.2/UOI is represented by Mr. Dabas.
3. In brief, the petitioner's grievance is that he is being denied admission in respondent no.3 school despite having cleared the entrance exam and been intimated with regard to his admission.
4. Mr. Ashok Agarwal, counsel for the petitioner, in this behalf, has drawn my attention to annexure A-3 which is appended on page 21 of the paper book.

5. A perusal of the said annexure would show that the petitioner was provisionally selected to Grade VI in the academic session 2019-2020 subject to verification and submission of requisite documents.
6. I am told by Mr. Agarwal that respondent no.3 school is a residential-school.
7. The report card pertaining to the petitioner, which is marked as annexure A-1 and is appended on page 19, *inter alia*, discloses that he passed his Grade V exam from NP CO ED Secondary School, Babar Road, New Delhi-110001.
 - 7.1 The petitioner appears to have been graded on an overall basis as A2 and ranked 2nd in Grade V.
 - 7.2 The petitioner also appears to have secured an attendance of 73 per cent.
8. Although the petitioner resides in Ghaziabad, U.P., it is clear that the petitioner has been educated in a school located in Delhi.
9. Since the contesting respondents (i.e. respondent nos.1 and 3) have not filed a counter-affidavit in the matter, it is not known as to why the petitioner's admission is being resisted.
10. Given these circumstances, respondent nos.1 and 3 are directed to admit the petitioner in Grade VI in the academic session 2019-20 upon fulfilment of requisite formalities by the parents of the petitioner.
11. For this purpose, the petitioner will present himself alongwith his parent(s) before the Principal of respondent no.3 school on 17.1.2020 at 09.00 a.m.

12. Consequently, CM No.32119/2019 is disposed of.
13. Learned counsel for respondent no.2 will also have the order passed today communicated to respondent no.1 as well as respondent no.3 school.
14. Renotify the matter on 25.3.2020.
15. *Dasti* under signatures of the Court Master.

RAJIV SHAKDHER, J

JANUARY 15, 2020
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