

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.278 OF 2021

Manjil alias Gouri Desai

... Petitioner

Versus

The Directorate of Education & Anr.

... Respondents

Mr. Adish Halarnkar, Advocate for the petitioner.

Mr. D. Pangam, Advocate General with Mr. Shubham Priolkar,
Additional Government Advocate for the respondents.

**CORAM: SUNIL P. DESHMUKH &
M. S. SONAK, JJ**

DATED: 23rd August 2021

P.C.

1. The petition has been moved challenging the Circular dated 22/06/2021 issued by the Director of Education pursuant to decision of the State Government, whereunder, in terms of the National Education Policy 2020, age for admission of a child shall be three complete years on or before 31st May for academic year 2021-2022. The petitioner claims that admission process of her child had begun in January 2021 and petitioner had also paid fees pursuant to the same. According to the petitioner, vide Annexure A to the petition, an extract of news item dated 12.08.2021, there has been statement by the Hon'ble Chief Minister in seminar on “*Demystifying the NAAC Assessment and Accreditation*” to the

effect that the National Education Policy 2020 will be implemented in the State from next academic year 2022-23. Thus, Circular pursuant to the National Education Policy shall not decline to petitioner's daughter, admission to pre-primary school for academic year 2021-22.

2. The learned Advocate General, however, submits that there has been decision taken by the Government pursuant to the National Education Policy that age of a child for pre-primary school shall not be less than three years and it is so depicted in the Circular. He submits that underlying consideration is a child below age of three years is to be let stress free. He further submits that Circular has been issued pursuant to the National Education Policy as well as the report of the task force *inter alia* comprising experts. Though the learned counsel for the petitioner has referred to and purported to rely on the decision of ***Najma Vs Government of NCT of Delhi¹***, the decision has been rendered entirely in different context involving issues between landlords and tenants where the Court had directed for a decision by concerned authorities. Contextual perspective is wide apart in present matter from the one in the case referred to. The same hardly would have any bearing on present matter. A news paper item/report in the face of stated categorical decision in place of the Government would seldom prevail.

¹ 2021 LawSuit(Del) 1284

3. Having regard to the aforesaid, we do not consider that the petition gives rise to a case for issuing mandamus as sought. The petition is, therefore, not being entertained and is rejected.

M. S. SONAK, J

SUNIL P. DESHMUKH , J

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