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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Decided on: 31st May, 2023*+ **W.P.(C) 13143/2021 & CM APPL.16006/2022****DEEKSHA & ANR.**

..... Petitioners

Through: Mr. Aayush Agarwala, Mr.
Siddham Nahata, Ms. Bhumika
Sharma, Mr. Auritro
Mukherjee, Advocates
(M:9999105064)

versus

GOVT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Santosh Kr. Tripathi,
SC(Civil) GNCTD with Mr.
Utkarsh Singh, Mr. Arun
Panwar, Mr. Kartik Sharma,
Ms. Mahak Rankawat,
Advocates DOE
(M:8285021263)
Mr. Shivam Malhotra,
Advocate for R-4 school
Mr. Parvinder Chauhan, Ms.
Aakriti Garg, Advocates for R-
16
(M:8077154576,email:aakritiga
rg@gmail.com)

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****[Physical Hearing/ Hybrid Hearing]****MINI PUSHKARNA, J. (ORAL)**

1. The present writ petition had initially been filed for admission of 35 children to various classes in different schools under the Economically Weaker Section (EWS)/Disadvantaged Group (DG)



category.

2. As per the submissions made on behalf of the ld. counsel for the petitioners, as of now, the petition survives only with respect to 6 petitioners viz. Petitioner Nos.5, 18, 22, 23, 24 and 27.

3. I have heard ld. counsels for the parties.

4. Considering the submissions made before this Court, the present writ petition is disposed of with the following directions:

- I. Petitioner No.5 was initially allotted seat for admission in Class – 1, which was refused by respondent No.4 school, on the ground that the entry level class was Class Nursery in respondent No.4 school. The Date of Birth of petitioner No.5 is 29.07.2015 and as per the current age of the said petitioner, the petitioner is now seeking admission in Class – 2. In view thereof, directions are issued to the Directorate of Education (DOE) to consider allotting school to the petitioner for admission in Class – 2 under the Freeship category in a school in the neighbourhood of the petitioner No.5.
- II. It is submitted that the petitioner No. 18 has already been granted admission in the Kendriya Vidyalaya School. Thus, the said petitioner does not wish to pursue the matter any further. Thus, no directions are required to be passed qua petitioner No.18.
- III. Petitioner No.22 concerns the case of two children viz. Gunjan and Lavesh. It is submitted that Lavesh has already been granted admission under the EWS/DG



category to respondent No.13 school. Thus, Id. Counsel for petitioners seeks admission for Gunjan in Class -2. The Date of Birth of petitioner No.22, Gunjan is 02.11.2015. Thus, the DOE is directed to consider the case of petitioner No.22, for admission in Class – 2 under the Freeship category in a school in the neighbourhood of the said petitioner.

- IV. Petitioner No.23 was allotted respondent No.14 school by the DOE for admission under the EWS/DG category in Class – 1. However, the admission was denied to the said petitioner. The Date of Birth of petitioner No.23 is 23.06.2016. Thus, as per the current age of petitioner No.23, admission is now sought in Class – 2. In view thereof, directions are issued to the DOE to consider allotment of a school to petitioner No.23 for admission in Class – 2 under the Freeship category in a school in the neighbourhood of the said petitioner.
- V. It is submitted on behalf of Id. Counsel for petitioners that petitioner No.24 has already been granted admission in Kendriya Vidyalaya School. Thus, he does not wish to pursue the matter any further. Therefore, no directions are required to be issued with respect to petitioner No.24.
- VI. Petitioner No.27 was initially allotted respondent No.15 school for admission in Class – 1 in the academic session 2021-2022. However, the said petitioner was kept in waiting list by the respondent No.15 school in the said



session as well as in the next academic session 2022-2023. Thus, admission for petitioner No.27 is now sought in Class – 3. The Date of Birth of petitioner No.27 is 14.11.2015. Thus, DOE is directed to allot a school to petitioner No.27 for admission in Class – 3 under the Freeship category in a school in the vicinity of the petitioner No.27.

5. With the aforesaid directions, the present writ petition is disposed of along with all the pending applications.

MINI PUSHKARNA, J

MAY 31, 2023

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