



\$~19

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

+ **W.P.(C) 4281/2024 & CM APPL. 17573/2024**

**TANVEER SINGH THROUGH HIS MOTHER
PREETI KAUR**

.....Petitioner

Through: Mr. Arkaneil Bhaumik, Ms. Suparna Jain, Mr. Shashwat Kabi, Mr. Adhishwar Suri and Mr. Dushyant Kaul, Advocates

versus

DIRECTORATE OF EDUCATION & ANR.Respondents

Through: Mr. Santosh Kumar Tripathi, Standing Counsel (Civil) with Mr. Arun Panwar and Mr. Rishabh Srivastava, Advocates
Mr. Harendra Kumar, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

22.07.2024

%

1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of petitioner seeking issuance of an appropriate writ, order or direction, directing the respondents to admit and enrol the petitioner in the KG/Pre-Primary Class in the EWS Category for the Academic Year 2023-2024 in the respondent no. 2 school already allotted to the petitioner pursuant to the submission of the application of the petitioner in accordance with the admission guidelines dated 02.02.2023 released by respondent no. 1 i.e. Directorate of Education.



2. The Worthy Principal of Jain Bharti Model School, who is present in the Court, has produced a photocopy of a letter which was given to the school by the mother of the child/petitioner.
3. This Court notes that unfortunately, the father of the child has passed away. This fact was not in the knowledge of the Court. Learned counsel for the petitioner states that it was not in his knowledge too, as he was not informed about the same till the last date of hearing. This miscommunication on behalf of the petitioner to the learned counsel for petitioner has resulted into summoning of the Principal of the school.
4. It is also stated that the mother of the petitioner is now residing in the State of Gujarat after unfortunate demise of her husband. Learned counsel for the petitioner states that an affidavit on behalf of the petitioner/child shall be tendered by the mother to the Principal of Jain Bharti Model School mentioning thereby as to who will represent the child in the school, till his mother is in the State of Gujarat. Therefore, the School shall take the affidavit on record.
5. In the meantime, it is directed that the child/petitioner will be provided with school uniform and will continue to receive all the facilities he is entitled to under the EWS Category.
6. Learned counsel for the petitioner further submits that the order of this Court dated 21.03.2023 has been complied with and the petitioner/child has been studying in respondent no. 2 School i.e. Jain Bharti Model School.
7. This Court has been informed that nothing further remains to be decided as the petitioner/child has already been admitted in the respondent no. 2 school i.e. Jain Bharti Model School.
8. The respondent no. 2 school does not object to the fact that they have



granted provisional admission to the petitioner/child and it is further stated that the same may be regularized and the writ petition be disposed of.

9. Thus, the provisional admission granted to the petitioner in this case is made regular. Needless to state that the petitioner herein would continue to be entitled to the facilities available to EWS students, as has been provided in the RTE Act.

10. Accordingly, the writ petition along with pending application stands disposed of in the above terms.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JULY 22, 2024/zp

[Click here to check corrigendum, if any](#)