



2024 : DHC : 2676



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

+ **W.P.(C) 4538/2024**

**MASTER CHHAYANK THROUGH
HIS FATHER SUDHIR**

..... Petitioner

Through: Mr. Arkaneil Bhaumik, Mr.
Adhishwar Suri, Mr. Rayadurgam Bharat
and Ms. Suparana Jain, Advs. for Dr. Amit
George, Adv.

versus

DIRECTORATE OF EDUCATION & ANR. Respondents

Through: Mr. Utkarsh Singh, Adv. for
Mr. Santosh Kumar Tripathi, SC (C) for
DoE

Ms. Shikha Sharma, Adv. for respondent
school

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

JUDGMENT (O R A L)

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02.04.2024

W.P.(C) 4538/2024

1. The petitioner, through his father, had applied with the Directorate of Education (DoE) as a student belonging to the Disadvantaged Group (DG) for admission to KG/Pre-primary for the academic session 2023-2024. A computerized draw of lots was conducted by the DoE. The petitioner was found entitled to be admitted to KG/Pre-primary for the academic session 2023-2024 in the Respondent 2 school.

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2. As the respondent school refused to admit the petitioner, the present writ petition has been instituted seeking a mandamus to Respondent 2 school to admit the petitioner.

3. However, the petition has come up for hearing after the 2023-2024 academic session has come to an end.

4. Mr. Bhaumik, learned Counsel for the petitioner prays that, though it may not be possible to grant the relief sought in the petition as the 2023-2024 academic session has come to an end, the Court should direct the DoE to make every endeavour to ensure that the petitioner is granted admission as a DG student in Class I in some other school. He cites, for this purpose, the judgment of this Bench in *Jiya v. Maharaja Agrasen Model School*¹.

5. Though it is true that, in one or two cases, this Bench has passed such orders, this cannot be made a rule. If the Court is to routinely pass orders directing the DoE to adjust the petitioner for the next academic session in some other school, they would end up blocking the chances of others who may have made similar applications under the DG category for Class I for the next academic year.

6. This would ultimately be prejudicial to the interest of others and cannot, therefore, be the outcome of the order passed by this Court.

7. For the next (2024-2025) academic year, in Class I, the right of the petitioner would only be to consideration of his case at par with



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other DG aspirants who seek admission for the 2024-2025 academic session; in the draw of lots to be conducted by the DoE in that regard.

8. Needless to say, the petitioner would be at liberty to apply as a DG candidate for admission to Class I for the 2024-2025 academic session and, if such application is made, the DoE would endeavour to secure admission to the petitioner, needless to say, after following the procedure prescribed in that regard.

9. This petition stands disposed of in the aforesaid terms.

CM APPL.18605/2024 and CM APPL.18606/2024

10. These applications do not survive for consideration and stand disposed of.

C.HARI SHANKAR, J

APRIL 2, 2024

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Click here to check corrigendum, if any