



2024:DHC:4510



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 7768/2024****PARENTS ASSOCIATION
AHLCON PUBLIC SCHOOL**

..... Petitioner

Through: Mr. A.K. Singhla, Sr. Advocate
with Mr. Akshit Sachdeva, Adv.

versus

DIRECTORATE OF EDUCATION & ANR. ...RespondentsThrough: Mr. Santosh Kumar Tripathi,
Standing Counsel (Civil) with Mr. Arun
Panwar and Mr. Rishabh Srivastava, Advs.
for Respondent 1Pulkit Tare with Parul Madaan for
Respondent 2**CORAM:****HON'BLE MR. JUSTICE C.HARI SHANKAR****JUDGMENT (ORAL)**

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28.05.2024**W.P.(C) 7768/2024**

1. This is a writ petition by an association of the parents of Respondent 2-School and is essentially an offshoot of the order dated 22 March 2024 passed by this Court in WP (C) 4437/2024 (*Ahlcon Public School v. DoE*).

2. Ahlcon Public School (APS), Respondent 2 in this petition and the petitioner in WP (C) 4437/2024, had filed an application under Section 17(3) of the Delhi School Education Act, 1973 before the



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Directorate of Education (DoE) for approval of their fee structure for the year 2023-2024. As the said application was not being decided, APS approached this Court by means of WP (C) 4437/2024, seeking a direction to the DoE to decide the application.

3. By order dated 22 March 2024, this Court disposed of WP (C) 4437/2024, directing the DoE to take a decision on the Section 17(3) representation of APS within four weeks and communicate the decision to APS. In the event of the decision not being taken within the said time, APS was granted permission to increase its fees by 15%.

4. The association of the parents of the students studying in the APS has, by the present petition, sought to challenge the permission granted to the APS by the DoE to increase its fees by 15%.

5. Mr. Santosh Kumar Tripathi, learned Senior Standing Counsel for the DoE submits that the decision on the Section 17(3) application of the APS could not be taken within the time granted by this Court owing to the general elections which are presently in progress. He undertakes that the decision would positively be taken within two weeks from today.

6. Mr Singla, learned Senior Counsel for the petitioner submits fairly that, in the event, this writ petition may be disposed of with the direction to the DoE to also provide audience to the petitioner before taking a decision on the Section 17(3) application of the APS and reserving liberty with the petitioner, should it be aggrieved by the



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decision, to reagitate the matter in accordance with law. Mr. Tripathi, learned Counsel for the DoE has no objection.

7. Accordingly, this writ petition is disposed of with the following directions:

(i) The DoE is directed positively to take decision on the Section 17(3) representation of the APS on or before 15 June 2024 and communicate the decision to the petitioner as well as to the APS.

(ii) The petitioner, as well as APS, would be entitled to a personal hearing before the decision is taken, for which purpose the petitioner and the APS shall present themselves before the competent officer of the DoE on 3 June 2024.

(iii) Needless to say, should any party be aggrieved by the decision of the DoE, its right to challenge the decision in accordance with law would remain reserved.

8. This writ petition is disposed of in the aforesaid terms.

9. Learned Counsel for APS undertakes to provide a copy of the Section 17(3) representation submitted to the DoE to the petitioner in the present writ petition by way of an email to the learned Counsel appearing for the petitioner during the course of the day.



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CM APPL. 32222/2024 (Interim relief) and CM APPL. 32223/2024 (Exemption)

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

C.HARI SHANKAR, J

MAY 28, 2024

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Click here to check corrigendum, if any