



2024 : DHC : 3650



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

+ **W.P.(C) 11845/2023**

**ADAVYA ARYA THROUGH HIS FATHER
MANISH**

..... Petitioner

Through: Mr. Arkaneil Bhounik, Adv.

versus

DIRECTORATE OF EDUCATION & ANR. Respondent

Through: Mr. Utkarsh Singh for Mr.
Santosh Kumar Tripathi, Standing Counsel
for DoE

Mr. Yogesh Kumar, Advocate for R2

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (O R A L)

02.05.2024

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1. The petitioner, a student belonging to the Disadvantaged Group applied to the Directorate of Education (DoE) for admission to the KG/ Pre-Primary Class, inter *alia* in the Respondent 2 School for the academic year 2023-2024. A computerized draw of lots was conducted by the DoE, pursuant to which the petitioner was shortlisted for admission to the respondent-school.

2. As the respondent-school did not admit the petitioner, the petitioner instituted the present petition.



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3. During the pendency of the writ petition, provisional admission has been granted to the petitioner by the respondent-school consequent on directions contained in order dated 6 September 2023 passed by this Court.

4. The dispute in this case is identical to that which has come up before the Court in a large number of judgments including *Jai v. Directorate of Education*¹, and *Arpit v. Adriel High School*².

5. The case is, therefore, covered on all fours by the said decisions which hold that, once an EWS/DG category student is shortlisted by the DoE for admission to a school, the school is bound to admit the child to that class in that academic year unless it has, within the time granted by the DoE in this regard, represented against the seat matrix uploaded by the DoE.

6. In that view of the matter, this writ petition has necessarily to be allowed. The provisional admission granted to the petitioner to KG/Pre-Primary as a DG category student *vide* order dated 6 September 2023 is confirmed and made permanent. The petitioner would be entitled to continue to receive education as a DG category student in the Respondent School as well as to all facilities available to such students.

¹ 2024 SCC OnLine Del 2437

² Order dated 30 April 2024 in WP (C) 2848/2024



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7. The writ petition stands allowed in the aforesaid terms with no orders as to costs.

C.HARI SHANKAR, J

MAY 2, 2024/yg

Click here to check corrigendum, if any