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

+ LPA 563/2024

DIRECTORATE OF EDUCATION

.....Appellant

Through: Mr.Santosh Kumar Tripathi,
SC(Civil), GNCD with Mr.Arun
Panwar, Mr.Utkarsh Singh,
Advocates with Mr.Rajiv Tanwar,
OSD, PSB, DOE, Mr.Ram Rattan,
LA. DOE.

versus

ACTION COMMITTEE UNADAID RECOGNIZED PVT SCHOOL

.....Respondent

Through: Mr.Kamal Gupta with Ms.Tripti
Gupta, Mr.Sparsh Aggarwal,
Mr.Karan Chaudhary and Ms.Yosha
Dutt, Advocates.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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09.07.2024

Caveat No.307/2024

1. Since appearance has been entered upon on behalf of the respondent, the caveat stands discharged.

C.M.No.37937/2024

2. Keeping in view the averments in the application, the delay in re-filing the present appeal is condoned.

3. Accordingly, the application stands disposed of.

C.M.No.37936/2024

4. Exemption allowed, subject to all just exceptions.

5. Accordingly, the application stands disposed of.



LPA No.563/2024 & C.M.No.37935/2024

6. Present appeal has been filed challenging the order dated 29th April, 2024 passed by the learned Single Judge in W.P. (C) 5743/2024 whereby the learned Single Judge stayed the operation of the circular dated 27th March, 2024 issued by the appellant/Directorate of Education (DoE).

7. At the outset, this Court has drawn the attention of learned standing counsel for appellant/DoE to the fact that the impugned order is an *ad-interim* order. It has been pointed out to him that it is open to the appellant to urge all its contentions and submissions before the learned Single Judge on the next date of hearing i.e. 31st July, 2024.

8. Learned counsel for the appellant, however, prays that the appellant be allowed to process the applications for fee hike filed by some of the schools situated on the public land.

9. However, this Court is of the view that such a prayer can be made before the learned Single Judge, who is seized of the matter.

10. Accordingly, the present appeal is disposed of with liberty to the appellant to raise all its contentions and submissions before the learned Single Judge. The learned Single Judge is directed to expeditiously dispose of the interim application(s) in the underlying writ petition. This Court clarifies that it has not commented on the merit of the controversy. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 9, 2024/KA