



2024:DHC:3646



\$~35

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13316/2023**
DIVYAN SINGH THROUGH
HIS FATHER AJEET SINGH Petitioner

Through: Mr. Arkaneil Bhaumik, Mr.
Rayadurgam Bharat, Advocates for Dr. Amit
George, Adv

versus

DIRECTORATE OF EDUCATION & ANR. Respondent

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

Mr. Mohit Gupta, Ms. Rashi Aggarwal, Ms.
Anisha Gupta, Ms. Deepshika Bansal,
Ms. Seema Ali Fatima and Ms. Gunjan Negi,
Adv. for R2.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)
03.05.2024

%

1. The petitioner in this writ petition seeks issuance of a writ of mandamus to the Respondent 2 school to admit the petitioner in Class III in the Disadvantaged Group (DG) category for the academic session 2023-2024. The petitioner had applied as a DG category candidate for admission to Class II in the academic year 2022-2023.

Signature Not Verified

Digitally Signed By: AJIT
KUMAR W.P.(C) 13316/2023
Signing Date: 06.05.2024
18:06:21

Signature Not Verified

Digitally Signed
By: CHANDRASHEKHARAN
HARI SHANKAR
Signing Date: 06.05.2024
18:05:10



2024:DHC:3646



His name was shortlisted by the Directorate of Education (DoE), consequent on a computerized draw of lots for admission to the Respondent 2 school for admission to Class II in the academic year 2022-2023.

2. This Court has held, in *Jiya v. Maharaja Agrasen Model School*¹ and *Ayesha Sankhla v. Government of N.C.T. of Delhi*², that the right that enures in favour of EWS or DG category candidates for admission to a school as per the allotment made by the DoE, consequent on a computerized draw of lots, has to be in the terms of the said allotment. The petitioner's allotment being for admission to Class II in the year 2022-2023, he cannot maintain a right on the basis of that allotment for admission to Class III in the year 2023-2024. For that year, the petitioner would have had to compete with others, in due course.

3. In that view of the matter, the relief sought in this writ petition cannot be granted.

4. The writ petition is dismissed.

5. Mr. Bhaumik, learned Counsel for the petitioner submits that his client is an EWS candidate as well. This order shall not preclude the petitioner from applying for the ensuing academic year for admission as an EWS candidate in the freeship category to the DoE. If any such application is made, it would be considered by the DoE in



2024:DHC:3646



accordance with the procedures prescribed in that regard.

C.HARI SHANKAR, J

MAY 3, 2024

rb

Click here to check corrigendum, if any