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

+ **W.P.(C) 9829/2024 & CM APPL. 40361/2024**

GURSIRAT KAUR MINOR(THROUGH NEXT FRIEND).Petitioner

Through: **Mr. Raghavendra Mohan Bajaj and
Mr. Shagun Agarwal, Advocates**

versus

DIRECTORATE OF EDUCATION & ANR.Respondents

Through: **Mr. Santosh Tripathi, Standing
Counsel, GNCTD, Mr. Divyam
Nandrajog, Panel Counsel, GNCTD
for R-1**

**Mr. Sanjay Sehgal, Mr. Shivesh
Sehgal, Mr. Anil Kumar Vohra,
Advocates for R-2 and R-3**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% 06.08.2024

CM APPL. 40362/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present writ petition, filed under Article 226 of Constitution of India, on behalf of the petitioner seeks following prayers:

“a. Pass an Order directing the Respondent No. 2 to allow the Petitioner to continue the studies as per the EWS Scheme;

b. Pass an Order directing the Respondent No. 1 to ensure that the EWS Scheme is implemented by the Respondent No. 2; and/or”



4. It is stated that the petitioner is constrained to file the present writ petition seeking directions against the respondent no. 2 to allow the petitioner to continue studying in the respondent no. 2 school, as per the Delhi School Education (Free seats for Students belonging to Economically Weaker Sections and Disadvantage Group) Order, 2011 ('EWS Scheme'). It is submitted that the petitioner was allotted Junior Wing of the Respondent No. 2 school for admission in pre-school in 2021-22 session under EWS Scheme. After completing pre-primary, the petitioner was promoted to 1st class in the Senior Wing of the Respondent No. 2 school. However, to the utter shock of the petitioner, on 01.04.2024 i.e., the first day of 2nd class of 2024-25 session, the respondent no. 2 informed the parents of the petitioner that the petitioner cannot continue studies in their school as the respondent no. 1 has not reimbursed its dues pending under the EWS Scheme. Later, the respondents have taken a belated and false stand that the two wings of the respondent no. 2 school have different IDs and under the EWS Scheme, the petitioner cannot be transferred from one school to another, and the Petitioner has to re-apply afresh for admission in 2nd class.

5. At the outset, learned counsel appearing on behalf of the respondent school no. 2 states that the school has no objection to the petitioner being granted regular admission in the School. He states, on instructions, that the school has already reserved a seat for the petitioner.

6. In view of the aforesaid submissions, the petitioner is granted regular admission in the respondent no. 2 school, in class 2nd, with all entitlements under EWS category, as per RTE Act. The DoE will issue fresh student identification number to the petitioner, within a week, if so required.

7. In view of above terms, the present petition stands disposed of.



8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

AUGUST 6, 2024/ns

Click here to check corrigendum, if any