



\$~68

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

+ **W.P.(C) 12087/2024 & CM APPL. 50293/202**

TANVISH THROUGH HIS NEXT FRIEND AND NATURAL

FATHER MR. AJAY KUMAR

.....Petitioner

**Through: Mr. Kumar Utkarsh and Mr. Manoj
Kumar, Advocates**

versus

M.B.S. INTERNATIONAL SCHOOL & ANR.Respondents

**Through: Mr. Karn Bhardwaj, ASC GNCTD
with Mr. Shubham Singh, Mr. Rajat
Gaba, Mr. Saurabh Dahiya,
Advocates for DoE/R-2.**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

02.09.2024

%

1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of father of the petitioner seeking following prayers:

“....i. issue any appropriate writ, order or direction thereby directing respondent M.B.S. International School, Sector 11, Dwarka, Delhi -110075 to grant admission to petitioner, namely, Tanvish 16 in class Nursery/Pre-school under DG category in academic year 2024-25;

ii. issue any appropriate writ, order or direction, directing the respondent Director of Education to take action against the respondent school for its failure to not grant admission to petitioner in class Nursery/Pre-school under DG category in academic year 2024-25 under the provisions of the Delhi School Education Act, 1973;

iii. pass any other order or direction or such further orders as may be deemed just and appropriate, in the facts and circumstances of the case and also in the interest of justice, in favor of the petitioner; and

iv. allow the present writ petition with cost, in favor of the petitioner...”



2. Learned counsel for the petitioner has placed before this Court a reply which has been received to his legal notice sent to the respondent no.1/school on 24.08.2024. Wherein respondent no. 1/school stated that they have not denied admission to the child but have merely stated that the student is under waiting list.
3. It is noted that despite service of advance notice, respondent no.1/school has failed to appear today.
4. In these circumstances, respondent no.1/school i.e. M.B.S. International School will decide the case of the petitioner herein regarding either granting admission or rejecting the same within ten days under intimation to the petitioner.
5. In view of the above, the present petition stands disposed of.
6. The petitioner will be at liberty to approach this Court, in case the grievance of the petitioner's child is not addressed or he is aggrieved by the same.
7. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

SEPTEMBER 2, 2024/zp

Click here to check corrigendum, if any