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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1436/2025, CM APPL. 6998/2025 & CM APPL. 6999/2025

KERALA EDUCATION SOCIETY
SENIOR SECONDARY SCHOOL & ANR.Petitioners

Through: Mr. Romy Chacko, Sr. Advocate
with Mr. Sachin Singh Dalal,
Advocates.

versus

DIRECTORATE OF EDUCATIONRespondent

Through: Mrs. Avnish Ahlawat, SC with Mr.
Nitesh Kumar Singh, Ms.
Laavanya Kaushik, Ms. Aliza
Alam and Mr. Mohnish Sehrawat,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.02.2025

1. The petitioner-linguistic minority school has filed this petition under Article 226 of the Constitution, challenging a memorandum dated 04.01.2025, by which the Directorate of Education ["DoE"], Government of National Capital Territory of Delhi, has raised various questions regarding the ongoing recruitment process initiated by the petitioner, and has also directed the petitioner to keep the recruitment process in abeyance.

2. Mr. Romy Chacko, learned Senior Counsel for the petitioner, submits that the DoE has no jurisdiction to intercede in the recruitment process of a linguistic minority institution. However, he also submits that the memorandum dated 04.01.2025 has been answered by the petitioner on 07.01.2025. He submits that DoE's contention regarding the



recruitment process being commenced by the petitioner without intimation to it, is incorrect, and in fact the recruitment process was commenced only after a detailed communication to DoE dated 18.09.2024.

3. Mr. Chacko further submits that an unviable position with regard to vacancies in the school, is exacerbated by the DoE's failure to take a final decision in the matter.

4. Having regard to the petitioners' communications dated 18.09.2024 and 07.01.2025, addressed to the DoE, I am of the view that the appropriate course at this stage is to direct DoE to take a time-bound decision. The communication dated 04.01.2025 itself requires clarification with regard to various questions, and contemplates that further orders will be passed by DoE.

5. DoE is directed to take a final decision within four weeks, and communicate the same to the petitioner through learned counsel on record for the petitioner. Prior to taking a decision, the petitioners' representative will also be heard by the DoE.

6. DoE is directed to bear in mind the legal position with regard to its jurisdiction in the case of minority schools.

7. It is made clear that all rights and contentions of the parties are left open for consideration, if required, after the decision is taken by DoE.

8. The writ petition, alongwith the pending applications, is disposed of with the aforesaid directions.

PRATEEK JALAN, J

FEBRUARY 4, 2025/MR/SD/