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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 386/2025, CM APPL. 35976/2025 & CM APPL. 35977/2025**

MASTER MOHAN KUMAR

.....Appellant

Through: Mr. Abhay Gupta and Mr. Paramjeet Singh, Advs.

versus

RICHMOND GLOBAL SCHOOL AND ORS

.....Respondents

Through: Mr. Dhruv Rohatgi, Mrs. Chandrika Sachdev and Mr. Dhruv Kumar, Advs. for DOE.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

19.08.2025

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1. Heard the learned counsel for the parties.
2. Pursuant to our order dated 02.07.2025, a counter affidavit has been filed by the Department of Education wherein it has been stated that at the request of the Deputy Director of Education, Great India Public School vide its email dated 03.07.2025 has communicated that the school has agreed to admit the appellant in Class III under EWS category. Along with the said counter affidavit, the email communication dated 03.07.2025 has also been annexed.
3. In paragraph 9 of the said counter affidavit, it has been stated that a vacancy in Class III is also available in Government Sarvodaya Bal



Vidayalay, NihalVihar which is situated at a distance of 1 km. from the residence of the appellant.

4. Paragraph 8 and 9 of the said counter affidavit are extracted hereinbelow:

*“8. It is submitted that at the request of the undersigned, Great India Public School has responded vide email dated 03.07.2025 and agreed to admit the child in class III under the EWS Category. The copy of the email dated 03.07.2025 has been annexed herewith as **Annexure R-1**.*

9. The undersigned has also enquired and hereby is pleased to inform that Government Sarvodaya Bal Vidyalay, NihalVihar, is also available for the child to take admission in class III. It is relevant to submit that the distance between the Petitioner’s residence to the Govt school is within 1 km.”

5. On a query made to the learned counsel for the appellant, it has been stated that the father of the appellant is not willing to get his ward admitted in the Government School and that he will better opt for Great India Public School.

6. Accordingly, without going into the merits of the claim of the respective parties, and also keeping in view the best interest of the appellant who belongs to EWS category, and to ensure that he continues his studies, we direct that the appellant shall be admitted in Class III at Great India Public School within a week from today.

7. For the said purpose, the father of the appellant shall take his son to the school and rest of the formalities shall be completed by the school authorities. It is also directed that the concerned authorities of the Education Department shall supervise and ensure that the admission process is completed and the appellant starts attending his classes forthwith.



8. The appeal stands disposed of in the aforesaid terms.
9. Let the concerned authorities of the Education Department be apprised of this order forthwith by the learned Standing Counsel representing the GNCTD without waiting for its certified copy.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

AUGUST 19, 2025

N.Khanna