

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-10167-2026

Date of Decision : April 28, 2026

VIJAY MALIK

-PETITIONER

V/S

UNION OF INDIA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kuldeep Sheoran, Advocate
for the petitioner.

Mr. Ashish Chaudhary, Sr. Panel Counsel
for the respondent No.1- U.O.I.

Mr. Harsh Aggarwal, Advocate
for the respondents No.2 to 4.

KULDEEP TIWARI, J. (ORAL)

1. The genesis of the present writ petition lies in an *inter se* familial feud between the petitioner and his in-laws, which has impelled the petitioner to invoke the writ jurisdiction of this Court seeking a direction to the respondent No.3 to reconsider his request for readmission of his minor son in PM Shri Kendriya Vidyalaya, Rohtak (hereinafter referred to as “the School”), which request has been declined.

2. Learned counsel for the petitioner submits that the petitioner’s father passed away on 05.05.2025 and, within two days thereof, unfortunately the demise of petitioner’s wife also occurred on 07.05.2025, leaving the petitioner as the sole guardian of his minor son. It is further submitted that, in the aftermath of these unfortunate events, disputes arose between the petitioner and his in-laws, and the latter attempted to abduct the

minor child. Owing to the resultant apprehension and in order to secure the safety and welfare of his son, the petitioner withdrew him from the School on 23.08.2025, while he was studying in Class VIII, by obtaining the School Leaving Certificate and Transfer Certificate.

3. Learned counsel further submits that the withdrawal of the child from the School was occasioned by circumstances beyond the petitioner's control, and solely in the interest of the child's safety and welfare. It is submitted that the disputes have since been resolved and the petitioner, having overcome the bereavements, approached the School seeking readmission of his son in Class IX, however, the said request has been declined.

4. *Per contra*, learned counsel for the respondents No.2 to 4, in the written statement, has opposed the prayer for readmission. It is averred that after obtaining the School Leaving Certificate, the petitioner admitted his son in another institution, where he completed the academic session of Class VIII. It is further averred that the number of seats available for admission to Class IX is limited in terms of the admission policy of Kendriya Vidyalaya Sangathan for the academic session 2026-2027. As per the said policy, the strength is 45 students per section, i.e. 90 students in total. However, the present strength already stands at 104 students, comprising 89 students promoted from Class VIII of the same School and 15 students who are repeating Class IX. It is thus contended that no vacancy exists for fresh admission in the current academic session.

5. This Court has heard learned counsel for the parties and perused the material on record. It is not in dispute that the petitioner's minor

son was a student of Class VIII in the School prior to his withdrawal, nor is it disputed that such withdrawal was occasioned by the circumstances narrated by the petitioner. It is further not in dispute that the child has successfully passed Class VIII.

6. Though the sanctioned strength for Class IX is 90 students, it is evident from the stand of the respondents No.2 to 4 that 104 students are presently being accommodated in Class IX in the School. In such circumstances, this Court is of the considered view that no prejudice would be caused to the respondents No.2 to 4 if one additional student is permitted to be admitted in the School.

7. Accordingly, having regard to the totality of the circumstances, and bearing in mind the paramount consideration of the welfare of the minor child, the respondents No.2 to 4 are directed to grant admission to the petitioner's minor son in Class IX in the School, subject to fulfillment of all requisite formalities, forthwith.

8. The instant writ petition stands **disposed of** accordingly.

April 28, 2026
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No