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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8028/2026, CM APPL. 38458/2026, CM APPL.
38459/2026

MINOR ARHAM SAIFI THROUGH FATHER MR. GOLU
MOHD.Petitioner

Through: Mr. Rajat Gaur, Mr. Sujoy Gaur
and Mr. Rajender Kumar, Advs.

versus

DIRECTORATE OF EDUCATION & ANR.Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

01.06.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 151* of the Code of Civil Procedure, 1908, the petitioner seeks the following reliefs:-

“I. Pass an appropriate writ, order or direction in the nature of mandamus or any other writ, to set aside the deficiency memo no.40 bearing no. F.No.D.E.T-01, dated 23.04.2026 and direct the respondent no.1 to approve the letter dated 08.05.2026 issued by respondent no.2 and grant admission to the petitioner in the school of respondent no.2.

II. Pass any relief that had not been specifically incorporated in the present petition, but petitioner is entitled to receive which this Hon'ble Court may deem fit and proper in the interest of justice.”

2. At the outset, learned counsel for petitioner has drawn the attention of this Court to the earlier Circular dated 24.10.2025, wherein it is specifically mentioned as under:-

“5. The age relaxation will be granted at the level of Head of School in the minimum as well as maximum age for one



month for Nursery to Class 1.”.

3. He has then drawn the attention of this Court to the Deficiency Memo dated 23.04.2026 by virtue whereof the child's age has been stated to be '*out of range*' for Class 1 as he is *nineteen (19) days* older than the required threshold. He further draws the attention of this Court to the same wherein it is stated that “... *...In pursuance of the circular dt. 24/10/2025 Ask concerned HOS to follow rules of age relaxation*”.

4. As such, he submits that although the respondent no.2 had sought permission from respondent no.1 to approve the age relaxation of the child involved herein *vide* application/ letter dated 08.05.2026, however, the same yet has not been answered. Thus, he submits that since the inaction on behalf of the respondent no.1 is violating the fundamental right to education enshrined under *Article 21 A* of the Constitution, the present petition ought to be allowed.

5. Since the present petition is pertaining to the right of a *seven-year-old* school going child, notice to the respondents is dispensed with.

6. Considering the aforesaid submissions, in which this Court finds force, the respondent no.1 is directed to dispose of the application/ letter dated 08.05.2026 issued by the respondent no.2 *qua* the age relaxation within a period of *two weeks*.

7. The present petition, alongwith the pending applications, is disposed of with the aforesaid directions.

**SAURABH BANERJEE, J
(VACATION JUDGE)**

JUNE 1, 2026/Ab