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

+ W.P.(C) 9252/2024

BABY KRUTIKA SHARMA THROUGH HER FATHER

VASUDEV SHARMAPetitioner

Through: Mr. Kunal Gosain, Adv.

versus

GOVT OF NCT OF DELHI & ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **28.01.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:

“i. Issue a writ, order or direction in the nature of mandamus directing the Respondent No. 2/“Senior Wing” School take back/permit the Petitioner to continue studying in “2nd class” as promoted by the Respondent No. 2 school for the academic session 2024-2025 and in all future academic sessions and continue to provide all such associated benefits as the Petitioner is entitled to till their education is complete.;

ii. Issue a writ, order or direction in the nature of mandamus for directing Respondent No. 1 to have an audit done of the Respondent no. 2 , 3 school and Respondent No. 4/Saraswati Educational society for the past 5 years and give a detailed account to this



Hon'ble Court of the following:

- a. Number of students belonging to the "EWS/DH category" studying in each class in the Respondent School/ Senior and Junior wing for the past 5 years/academic sessions and whether the Respondents No. 2/3 have maintained the 25% ratio of the EWS students as mandated by the Section 12 of the Right of Children to Free and Compulsory Education Act, 2009.(For the past 5 years/academic sessions)*
- b. Number of students of "EWS/DH category" who have left the Respondent No. 2/3 school or have converted to "General Category" and in what "circumstances" and have the Respondent No. 1 been informed by Respondent No.2/3 school(Junior and Senior Wing) in this regard and how the Respondents School have fulfilled the 25% ratio of the EWS students pursuant to such conversion.(For the past 5 years/academic sessions).*
- c. Give a detailed Account of amounts disbursed by the Respondent No.1/DOE to the Respondent No.2/3 school(Junior and Senior Wing) towards grant for such EWS/DG students for School Books, Uniform, Stationary alongwith breakup. (For the past 5 years/academic sessions)*
- d. Direct the Respondents No. 2,3,4 to give a detailed Account of the actual amount of benefit/grant which is actually passed on to the Petitioner and similarly placed students belonging to the EWS/DG students(Per Year per class for the past 5 years).*
- e. Further the Respondent no. 1 be directed to furnish information to this Hon'ble Court as to what action (If any taken) has been*



taken by the Respondent no. 1/DOE against the Respondent No.2/3 school (Junior and Senior Wing)/Respondent No. 4 society in case of any irregularity/non adherence or violation by the Respondents of the provisions of The Right of Children to Free and Compulsory Education Act, 2009, The Delhi School Education Act, 1973 and The Delhi School Education Rules, 1973 till date.

f. Direct the Respondent No. 4 Society to give a comprehensive list of School(s) and/or educational institutions run by them/previously run by them since the inception of the society (including schools closed down in the past).

g. Direct the Respondent No. 4 Society to give a comprehensive list of schools and/or educational institutions running on land allotted by DDA since the inception of the society (including schools closed down in the past).

iii. Issue a writ, order or direction in the nature of mandamus or any other appropriate Writ/direction/order directing:

a. Respondent No. 1 to act/resolve the grievance of the petitioner (and other similarly placed EWS students illegally ousted by the Respondent No. 2 and 3 School) in a time bound manner with a reasoned order and harmonise/resolve the issue at hand pertaining to the petitioner and such other similarly placed EWS students ousted by the Respondent no. 2 and 3 school.

And consequently take action against the erring department officials and officials from other branches departments of Respondent No.1 responsible for the situation that the Petitioner have been put to.



b. Direct the Respondent No. 1/DOE to issue appropriate directions to the Respondent No. 2/3 school and ensure that the Petitioner illegally ousted by the Respondent No. 2 and 3 School, continue to receive free education and ensure that the Petitioner and other EWS students continue to receive all such associated benefits as the Petitioner and other EWS/DG students are entitled to; till their education is complete.

iv. Issue a writ, order or direction in the nature of mandamus directing the Respondent No. 2/DOE to properly oversee the admission process, especially in respect of applicants belonging to the EWS/DG Category and ensure strict compliance of directions of the Judgments of Hon'ble High Court and various provisions made with respect to EWS and take action against the erring department officials and schools if found violating them.

v. Issue a writ, order or direction in the nature of mandamus directing the Respondents to jointly and severally to grant adequate compensation to the Petitioner for the loss , mental harassment and inconvenience etc caused to the Petitioner and her parents due to the acts/omissions of the Respondents.; and..."

2. In the present petition the main substantial prayer is for directing the respondent No. 2 to permit the petitioner to continue with her studies in the respondent No. 2 school.

3. Mr. Gosain, learned counsel for the petitioner, states that the said prayer has been satisfied and the petitioner is studying in the respondent No. 2 school.

4. The respondent No. 2 School shall ensure that no hindrance is caused



to the academic career of the petitioner and all benefits provided under the relevant rules and regulations are extended to her.

5. Additionally, the Directorate of Education will treat the present petition as a representation and will pass a speaking order on the other grievances raised in the present petition, expeditiously and in any case not later than 12 weeks from today.

6. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

JANUARY 28, 2026/DM