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

+ W.P.(C) 3383/2020

NAYASAMAJ PARENTS ASSOCIATION Petitioner
Through: Mr. Khagesh B. Jha and Ms.
Shikha Sharma Bagga, Advs.

versus

GOVT OF NCT OF DELHI & ORS Respondents
Through: Mr. Santosh Kumar Tripathi,
Standing Counsel for GNCTD (Civil) with
Ms. Nikita Vir, Adv. for R-1,2,3, 5 & 6
Mr. Sanjeev Ralli, Sr. Adv. with Mr.
Shubham Yadav, Mr. Ravi Kant Yadav,
Advs. for R-7 & 8

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

% **ORDER**
16.02.2024

CM APPL. 9653/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 9652/2024

3. By this application, the petitioner association seeks a direction to the Respondent 8 school (“the school”, hereinafter) to issue admit cards to the wards of the members of the petitioner association, subject to the outcome of the writ petition.



4. The writ petition challenges the fees which are being charged by the school as being unapproved by the Directorate of Education (DoE).

5. Along with the writ petition, the petitioner filed CM APPL. 12001/2020, seeking an interim order directing the school to revise the fees charged by them to be in conformity with the fees approved by the DoE.

6. Till date, no notice has been issued in this writ petition.

7. As such, as on date, there is no interdiction against the Respondent 8 school from charging the fees which they are presently charging and which are subject matter of challenge. These are the fees which are being paid by students who have not approached this Court by means of the present writ petition.

8. In this scenario, it is obviously not possible for this Court, in a situation, in which even notice is yet to issue in the present writ petition, to direct the school to issue admit cards to the wards of the members of the petitioner association without their paying the fees that the school is charging, and which is paid by other parents whose wards are studying with them.

9. I may note, here, that the petitioners are not members of the economically weaker section of society, or in any other situation of financial stringency. In these circumstances, I suggested to Mr. Khagesh B. Jha, learned Counsel for the petitioner association, that, if



his clients are willing to pay the fees which are being presently charged by the school, and paid by parents of other students studying in the school, this Court could direct them to release the admit cards of the wards of the member of the petitioner association. Needless to say, the payment of fees would abide by, and be subject to, the outcome of this writ petition.

10. Mr. Jha initially submits that his clients are not willing to pay the fees that the school is presently charging and that they are willing to pay only the fees which are approved by the DoE.

11. Relaxing his stand thereafter, Mr. Jha submits that he has not been provided the statements of the fees that his clients have to pay, so as to enable them to make payment.

12. Mr. Ralli, learned Senior Counsel for the school undertakes, on instructions from his client who is present in court, to intimate Mr. Jha the fees which are to be paid by the wards of the member of the petitioner association. He also assures that the fees would be equivalent to the fees which are being charged from other students in the school, who do not belong to the EWS category.

13. Accordingly, this application is disposed of with a direction to the Respondent 8 school to intimate, to Mr. Jha, the fees, and the period for which the fees are to be paid, by the wards of the members of the petitioner association during the course of the day, officially by e-mail.



14. In case the said fees are paid within 24 hours, the school is directed to issue the admit cards to the wards of the member of the petitioner association. However, if the fees as charged by the school are not paid by the members of the petitioner association, as directed hereinabove, it is not possible for this Court to pass any order for release of admit cards.

15. Mr. Jha submits that admit cards have yet to be issued to the following students:

S. No.	Name of students	Class & Section
1.	Peerzada Hussain	12B
2	Animesh Batra	12A
3	Shreyansh Gautam	12C
4	Ayush Ranjan	10C
5	Mayank Chaudhary	12A
6	Amishi Rawat	10A
7	Naman Dugar	12C

16. The Respondent 8 school is directed to inform Mr. Jha of the fees which have to be paid by the aforesaid students as well as the period for which fees are claimed. On the fees being paid within 24 hours, the admit cards of the wards of the members of the petitioner Association will be released by the school forthwith.

17. The school will also furnish the details of the bank account to which the fees can be transferred by RTGS.

18. This application is disposed of in the aforesaid terms.



19. Renotify on 22 February 2024, the date already fixed.

C. HARI SHANKAR, J.

FEBRUARY 16, 2024

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[Click here to check corrigendum, if any](#)