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

+ **W.P.(C) 4170/2019**

SOCIAL JURIST, A CIVIL RIGHTS GROUP Petitioner
Through: Mr. Ashok Agarwal & Mr. Kumar
Uttkarsh, Advs.

versus

**BHARATIYA VIDYA BHAVAN'S MEHTA VIDYALAYA AND
ORS.** Respondents

Through: Mr. Anil K. Kher, Sr. Adv. with
Ms. Vasundhara Nayyar, Adv. for R-1
Mr. Ramesh Singh, Standing Counsel for
GNCTD-R-3

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
% **23.04.2019**

Issue notice to the respondents to show cause as to why rule nisi be not issued.

Notice is accepted by Ms. Vasundhara Nayyar, learned Advocate on behalf of respondent No.1 and Mr. Ramesh Singh, Standing Counsel on behalf of respondent No.3.

Learned counsel for the petitioner further submits that in view of the communication received from respondent No.2 dated 22.04.2019, for the present he does not want to proceed against the respondent No.2. Notice to respondent No.2 is dispensed with.

Considering the averments in the petition, let Delhi Development



Authority be impleaded as a respondent. Amended memo of parties be filed. Notice be issued to newly impleaded respondent/DDA, returnable on 01.08.2019.

Counter affidavit be filed within four weeks from today. Rejoinder thereto, if any, be filed within four weeks thereafter.

Keeping in view the interim order passed under similar situation on 12.04.2018 in W.P. (C) 3586/2018 and annexed with this petition as Annexure P-7, we direct that till the next date of hearing the respondent No.1 shall be restrained from treating any child, who was earlier granted free education up to Class VIII in DG/EWS category under the Right of Children to Free and Compulsory Education Act, 2009, as falling under the general category and now requiring such child to pay tuition fee or any other charges from Class IX onwards. No child shall be removed from the rolls of the schools for non-payment of any fees or charges demanded upon the said respondent treating such children as falling under the general category.

List on 01.08.2019.

Copy of the order be given *dasti* under the signature of the Court Master.

CHIEF JUSTICE

ANUP JAIRAM BHAMBHANI, J

APRIL 23, 2019

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