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

+ **W.P.(C) 4400/2020 & CM APPLs. 15843/2020, 15844/2020**

P.P. INTERNATIONAL SCHOOL

..... Petitioner

Through: Mr. Kamal Gupta, Advocate

versus

DIRECTORATE OF EDUCATION

..... Respondent

Through: Mr. Santosh Kumar Tripathi, Advocate

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

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**21.07.2020**

1. This hearing has been done by video conferencing.
2. The Petitioner has filed the present petition challenging the order dated 5<sup>th</sup> April, 2019 passed by the Directorate of Education (*hereinafter*, “DoE”) by which fee hike for the year 2017-18 has not been permitted.
3. Mr. Gupta, ld. counsel for the Petitioner submits that there is a clear calculation error in the impugned order and the same can be easily corrected by the DoE if the matter is sent back to the DoE.
4. Mr. Tripathi, ld. counsel submits that several schools are seeking similar reliefs before this Court and the intention of the school is to avoid refunding the fee. Further in every matter schools raise some grievance or the other against the detailed orders of the DoE and hence the matter ought not to be remanded.
5. Issue notice. Mr. Tripathi, ld. counsel for DoE accepts notice. Let counter affidavit be filed within four weeks. The counter affidavit shall

specifically deal with the alleged calculation error as detailed in paragraph 4 of the writ petition. Along with the counter affidavit, Mr. Tripathi is directed to file a clear chart mentioning the number of schools which have challenged the orders of the DoE and the list of writ petitions pending before this Court. Rejoinder be filed within two weeks.

6. In the meantime, the Petitioner shall stand injuncted from collecting the amounts which constitute interim fee hike in terms of circular dated 17<sup>th</sup> October, 2017. The DoE shall also not take any coercive action on the basis of the impugned order dated 5<sup>th</sup> April, 2019.

7. List for hearing on 2<sup>nd</sup> September, 2020.

**PRATHIBA M. SINGH, J**

**JULY 21, 2020**

*Rahul/C*