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

+ **W.P.(C) 10969/2025**

PRABHU DAYAL PUBLIC SCHOOL

.....Petitioner

Through: Ms. Amita Sehgal, Mr. Satinder Singh Mathur, Mr. Saurabh Pandey and Mr. Tanishq Tandon, Advocates.

versus

DIRECTORATE OF EDUCATION

.....Respondent

Through: Mr. Abhinav Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **28.07.2025**

CM APPL. 45247/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 10969/2025 and CM APPL. 45246/2025

3. The present petition has been filed by petitioner assailing the impugned order dated 16.04.2025 whereby, respondent DoE has observed that fee hike resorted to by petitioner School is in contravention of the provisions of DSEAR 1973, RTE Act 2009 and circulars/order/directions issued by DoE from time to time.
4. It is further observed in the said order that the school is indulging in profiteering and commercialization of education and continuous harassment of students.
5. The learned counsel appearing on behalf of petitioner submits that



before the commencement of academic session 2025-2026, petitioner school had filed full statement of fee to be levied by school during the ensuing academic session of 2025-2026. She submits that said statement of fee was submitted on 27.03.2025. Subsequently on being asked by respondent/DoE, petitioner furnished various documents to the DoE on 11.04.2025.

6. She submits that without examining the said statement of fee, the respondent appears to have passed impugned order on 16.04.2025 alleging that the act of fee hike by petitioner school is in contravention of the provisions of the Act and the Rules.

7. She submits that main school in question is constructed on a land which does not contain a land clause. She further contends that in terms of the law as its stand today, petitioner school is only expected to file statement of fee in terms of Section 17 (3) of the Delhi School Education Act, and it is only upon such proposal being rejected by the DoE, that the school is proscribed from charging hiked fee.

8. In view of above, issue notice.

9. Mr. Abhinav Sharma, learned counsel appearing on behalf of respondent/DoE accepts notice.

10. Let counter-affidavit to the petition and reply to the application be filed within a period of two weeks. Rejoinder thereto, be filed within two weeks thereafter.

11. Re-notify 22.09.2025.

VIKAS MAHAJAN, J

JULY 28, 2025/jg