

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2698 of 2026

1. Ravindra Kewat, S/o Rameshwar Kewat, R/o Makchund Toli, P.O. & P.S. Chutia, Ranchi, Jharkhand.
2. Ranjeet Kumar Pandey, S/o Suresh Pandey, R/o Makchund Toli, P.O. & P.S. Chutia, Ranchi, Jharkhand.
3. Sachin Panday, S/o Jagan Panday, R/o Makchund Toli, P.O. & P.S. Chutia, Ranchi, Jharkhand.

... .. Petitioners

Versus

1. The State of Jharkhand.
2. Secretary, Department of School Education & Literacy, Government of Jharkhand, MDI Bhavan, P.O. & P.S. Dhurwa, Ranchi, Jharkhand.
3. Deputy Commissioner, Ranchi, Collectorate Building, Kutchery, P.O. Ranchi, G.P.O., P.S. Kotwali, Jharkhand.
4. District Superintendent of Education, Ranchi, Department of School Education & Literacy, Government of Jharkhand, MDI Bhavan, P.O. & P.S. Dhurwa, Ranchi, Jharkhand.
5. Oxford Public School, through it's Principal, Old HB Road, Pragati Path, P.O. & P.S. Chutia, Ranchi, Jharkhand.
6. Md. Irshad Alam, R/o Konka Road, Hawari Masjid, Karbala Chowk, P.O. Ranchi, G.P.O., P.S. Lower Bazar, District Ranchi, Jharkhand.
7. Faiyaz Ahmad, R/o near Madina Masjid, Hindpiri, Ranchi, P.O. & P.S. Hindpiri, District Ranchi, Jharkhand.

... .. Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioners : Mr. Sankalp Goswami, Advocate

For the Respondent : Mr. Shubham Gautam, Advocate
 Mr. Vibhor Mayank, Advocate

03/ 24.06.2026

By filing this writ petition, the petitioners have prayed for the following reliefs :-

"a. *For issuance of appropriate writ(s)/order(s)/, direction(s) in the nature of mandamus directing the Respondent Authorities to forthwith provide admission to the Petitioner's children in the Respondent No.5 school, under the provisions of The Right of Children to Free*

- and Compulsory Education Act, 2009, in the academic year 2025-2026, considering the fact that the Petitioners had duly submitted applications seeking admission for their children in the said school, but the Respondent Authorities, despite receipt of the same till date have sat tight over the said applications ; And*
- b. For issuance of an appropriate writ(s)/order(s)/direction(s), particularly in the nature of mandamus, commanding the Respondent Authorities to ensure admission of the Petitioner's children in Respondent No.5 School in the academic year 2025-2026, so as to secure and enforce their fundamental right to free and compulsory education guaranteed under Article 21A of the Constitution of India, read with the provisions of the Right of Children to Free and Compulsory Education Act, 2009; And*
 - c. Alternatively seeks for an appropriate writ(s), order(s) or direction(s), commanding the concerned respondent authorities to ensure admission of the Petitioner's children in Respondent No.5 School in the academic year 2026-2027; And*
 - d. Alternatively seeks for an appropriate writ(s), order(s) or direction(s), commanding the concerned respondent authorities to ensure admission of the Petitioner's children under the provisions of Right of children to Free and Compulsory Education Act, 1009 in any other school within the neighbourhood area in the academic year 2026-2027; And*
 - e. For further issuance of an appropriate writ(s)/order(s)/direction(s), annulling/ cancelling the admission granted to the children of respondent no. 6 and 7 as they have been given admission in place of the Petitioner No.1*

and 2' s children and in contravention of the applicable rules and statutes governing the applicability of Right of Children to Free and Compulsory Education Act, 2009 in the State of Jharkhand;"

- 2.** Heard learned counsel representing the petitioners and learned counsel representing the respondents.
- 3.** Learned counsel representing the petitioners submits that petitioner No.3 - Sachin Panday, is not pressing this writ petition, as his ward has already been admitted in some other School.
- 4.** In view of the aforesaid submission, this writ petition stands dismissed as not pressed qua - petitioner No.3 - Sachin Panday.
- 5.** So far as petitioner Nos.1 and 2 are concerned, learned counsel representing the petitioners submits that they are resident within the radius of 1 km from the School, thus their case should have been considered giving priority over others, who are residing beyond 1 km from the School. It is his contention that all the applicants irrespective of their place of resident, be it within 1 km or more than 1 km, were allowed to participate in the admission process, which was conducted by drawing lots. He submits that only in circumstances where there was no sufficient candidate residing beyond 1 km, then only the applicants who were residing beyond 1 km, should have been considered for admission. Candidates residing within 1 km will get preference.
- 6.** As per the Notification as contained in Memo No.237 dated 16.02.2016, issued by the State Government under the Right

to Education Act, it was decided that if there are no applicants residing within 1 km from the School, then only the applicants who are residing beyond 1 km will be considered. This clearly suggests that there is a classification based on the distance between the School and the place of residence of the candidates. First priority has to be given to the applicant, who resides within 1 km from the said School.

7. At this stage, it is submitted by learned counsel representing respondent No.5 i.e. the School, that as on date there are three vacancies in the said category in the School.

8. The respondent No.5 cannot by drawing lots, include all the applicants irrespective of their place of residence. Thus, I direct the respondent No.5 to consider the case of these petitioners i.e. petitioner Nos.1 and 2, and if they are found residing within 1 km from respondent No.5 - School, their case will be considered and recommended, if as on date there are no other claims on behalf of any other applicants, who are residing within 1 km. If there are any other claim made by any other applicants who are residing within 1 km from the School, then the candidature of each of the applicant will be decided by drawing lots.

9. The entire process should be completed within a period of three weeks from the date of receipt of copy of this order.

10. With the aforesaid direction, this writ petition qua petitioner Nos.1 and 2, stands **disposed of**.

(ANANDA SEN, J.)