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

Date of Decision: 04.04.2018

\+ W.P.(C) 9146/2017 & CM No.37428/2017

MAHUA GUPTA & ORS ..... Petitioners

Through: Mr.Shohit Chaudhry, Ms.Gunjan Bansal & Mr.Kushagra Nigam, Advs.

versus

DIRECTORATE OF EDUCATION & ORS ..... Respondents

Through: Mr.Ramesh Singh, Standing Counsel & Mr.Aniruddha Deshmukh, Adv. for GNCTD.
Mr.Jayant Sud, Sr. Adv. with Ms.Honey Khanna, Advs. for R-3
Mr.Amitesh Kumar, Adv. for R-2 & 4.
Mr.Rajan Chawla & Mr.S.B. Singh, Advs. for R-5.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

REKHA PALLI, J (ORAL)

CM No.11929/2018

1. Pursuant to the last order dated 23.03.2018, learned counsel for respondent Nos.2 and 4 submits that he has instructions to state that the respondents are not insisting that any student should purchase the entire set of books from any of

their book shops or the website and submits that the students would be free to purchase any individual book/books, which they so desire.

2. It is accordingly ordered that the respondent Nos.2 and 4 will be bound by their undertaking and the students would be permitted to buy individual books, if they so desire.

3. The application stands disposed of.

W.P.(C) 9146/2017 & CM Nos.37428/2017 & 11928/2018

1. Vide the present petition, the petitioners, who are parents of children studying in respondent No.2-school, have approached this Court *inter alia* for a direction to respondent No.1 to conduct an inquiry on the alleged illegal hike of fees by the respondent No.2-school. The petitioners have also prayed that the respondent No.1 ought to take steps to ensure that respondent No.2 enhances the fees only in accordance with the provisions of Delhi School Education Act & Rules as also the various circulars issued by respondent No.1 from time to time. The petitioner has also sought a direction to respondent No.1 to conduct a complete financial audit of the respondent No.2-school.

2. Today, Mr.Ramesh Singh, learned Standing Counsel for respondent No.1 submits that based on the complaints made by the petitioners and 'Delhi Parents Association for Schools' the respondent No.1 is giving its serious consideration to the matter

and an inquiry is already being conducted by the respondent No.1, during the course of which, the aforesaid complainant-association has also been given a hearing. He further submits that based on the preliminary inquiry, comments have been sought from respondent No.2 school. A copy of the preliminary report has been handed over to learned counsel for the petitioner.

3. Learned counsel for the petitioners submits that at this stage, the petitioners would be satisfied, if before finalizing the inquiry, at least two of the petitioners are given a personal hearing by respondent No.1. Mr.Ramesh Singh, learned counsel for respondent No.1 does not have any objection to the aforesaid course of action.

4. Learned counsel for the petitioner further submits that the respondents may be directed to take expeditious steps to finalize the inquiry and take appropriate steps as per the provisions of Delhi School Education Act and its circulars.

5. Accordingly, the petition is disposed of with a direction to respondent No.1 to finalize the ongoing inquiry within 12 weeks from today after giving a personal hearing to two of the petitioners, who will appear before respondent No.1 as and when directed, with an authority letter from the remaining petitioners. It is expected that before finalizing the inquiry report, respondent No.1 will examine all the issues raised by the petitioners. Needless to say in case the respondent Nos.2 to 5

are found to be in breach of any provision of the DSE Act/Rules or circular, respondent No.1 will take steps expeditiously as per law.

6. The petition as well as pending application are disposed of with the aforesaid directions.

7. In case, the petitioners are still aggrieved, it will be open for the petitioners to take legal recourse as permissible under law.

REKHA PALLI
(JUDGE)

APRIL 04, 2018
gm