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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 7039/2025

MASTER ***** RAJ

.....Petitioner

Through: Ms. Sonika Choudhary, Ms.
Sommya Chaturvedi & Mr. R. K.
Kapoor, Advs. alongwith father of
petitioner in person.

versus

DELHI PUBLIC SCHOOL & ANR.

.....Respondents

Through: Mr. Puneet Mittal, Sr Adv with Ms.
Sakshi Mendiratta & Mr. Abhieswarat
Gupta, Advs for R-1.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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14.11.2025

CM APPL. 71514/2025 for (early hearing)

1. For the reasons stated in the application, the application is allowed.

The present application stands disposed of.

CM APPL. 68888/2025 (u/S 151 CPC for modification of order dated 22.05.2025)

2. The present application has been taken up for consideration with the consent of learned counsel for the parties.

3. The present application has been filed seeking modification of order dated 22.05.2025 whereby the petition was disposed of with the direction that the petitioner's father will pay monthly instalment of Rs 50,000/-



commencing from 01.06.2025 and continue to pay the same till the entire outstanding amount is cleared. It was further observed that the petitioner's father shall also continue to pay regular monthly school fee for the current academic session as well, as and when demanded by respondent No.1 school, besides clearing the outstanding dues which were stated to the extent of Rs 5,37,713/-. The said order dated 22.05.2025 is reproduced below in extenso:

“3. The present petition has been filed on behalf of the petitioner seeking direction to respondent no.1 school to restore the name of the petitioner in Class X and allow him to complete the Academic Session 2025-26.

4. The case set out by the petitioner in the present petition is that in the month of May 2023, the petitioner's father unfortunately met with a serious accident, which resulted in financial crisis for the family. Therefore, the petitioner was not able to pay the school fee on time, which resulted into passing of office order dated 17.03.2025 by the respondent no.1 school whereby the name of the petitioner was struck-off from the rolls of respondent no.1 school with immediate effect as per Rule 35 of Delhi School Education Rules, 1973.

5. Mr. Jitendra Kumar Singh, learned counsel appearing on behalf of the petitioner, on instructions from the petitioner's father, who has also joined through video conferencing, submits that the petitioner will pay the outstanding fee in equal instalments of Rs.50,000/- each per month. The statement is taken on record and the petitioner's father shall remain bound by the same.

6. Mr. Puneet Mittal, learned Senior Counsel appearing on behalf of the respondent no.1 school, on instructions, submits that the respondent no.1 school will not insist on payment of late fee. Accordingly, the amount which is outstanding from the petitioner to respondent no.1 school as on date is Rs.5,37,713/-.

7. In view of the statements made by learned counsel for the



parties, the present petition is disposed of with a direction that the petitioner will pay monthly installment of Rs.50,000/- commencing from 01.06.2025 and continue to pay the same till the entire outstanding amount is cleared. The petitioner's father shall also continue to pay regular monthly school fee for current academic session as well, as and when demanded by the respondent no.1 school, besides clearing the above outstanding dues.

8. *Mr. Mittal submits that in view of the order passed by this court, the respondent no.1 school will withdraw its office order dated 17.03.2025 and restore the name of the petitioner on the rolls of the school. The statement is taken on record and the respondent shall remain bound by the same.*

9. *The petition stands disposed of in the aforesaid terms."*

4. Ms. Sonika Choudhary, learned counsel appearing on behalf of the petitioner submits that pursuant to the said order, the petitioner's father deposited an amount Rs 1,26,000/- with respondent No.1 school, but thereafter, on account of severe financial difficulties, he could not pay the balance amount.

5. She submits that due to non-payment of remaining fee, the school had issued a show cause notice and thereafter, the office order dated 26.09.2025 (Annexure A-5) was passed whereby the name of the petitioner has been struck off the school rolls on account of non-payment of school fees.

6. She submits that the petitioner's father has lost his job. Further, petitioner's grandfather is ailing, and family is spending substantial amount on his treatment as well.

7. When this matter was being heard, Mr. R. K. Kapoor, Advocate was logged-in through VC for some other case before this Court and after hearing the plight of the petitioner's father, he had volunteered to pay part of



the outstanding dues of the petitioner's fee. The matter was then passed over, and now Mr. R.K. Kapoor, Advocate has appeared physically in the Court.

8. Mr. Kapoor has volunteered to contribute Rs 2,50,000/- against the outstanding fees of Rs 5,32,375/-, as alleged by the respondent school. However, the learned counsel for the petitioner contends that the outstanding amount is Rs 4,11,000/- after adjustment of an amount of Rs 1,26,000/-, which has already been paid by the petitioner's father.

9. Be that as it may, in the peculiar facts and circumstances of the present case and regard being had to the fact that the petitioner is a student of Class X, whose father owing to his financial difficulties has not been able to arrange for the outstanding school fee of the petitioner, leading to the striking off his name from the school, the school is requested to accept Mr. Kapoor's contribution of Rs 2,50,000/- towards the outstanding fees of the petitioner and consider the said payment as full and final settlement of all outstanding dues of the petitioner as well as remaining fee, if any, for academic session 2025-2026, and withdraw the office order dated 26.09.2025.

10. Needless to say that for the next academic session, if the petitioner continues in the same school, it shall be the liability of the petitioner's parents to pay the fee regularly.

11. It is reiterated at the cost of repetition that this order has been passed in the peculiar facts and circumstances of the present case and the same shall not be considered as precedent.

12. Before parting with this order, this Court wish to place on record the appreciation for the generosity of Mr. R.K. Kapoor, Advocate in coming to



the aid of the petitioner and ensuring that his family's financial difficulties do not impede his education.

13. The present application stands disposed of.

NOVEMBER 14, 2025/sk

VIKAS MAHAJAN, J