

Court No. - 54

Case :- WRIT - C No. - 641 of 2020

Petitioner :- Rama Educational Academy

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vibhu Rai, Abhinav Gaur, Anoop Trivedi (Senior Adv.)

Counsel for Respondent :- C.S.C.

Hon'ble Rajiv Joshi, J.

Heard Sri Anoop Trivedi, learned Senior Advocate assisted by Sri Vibhu Rai, learned counsel for the petitioner and learned Standing counsel for respondent no.3.

By means of the present petition, petitioner seeks for quashing of the Clause 17(k) of paragraph 2 (1) as well as Clause (1) of part 2 (II) of the Government Order dated 11.1.2019 issued by Special Secretary Government of U.P. where by condition is imposed that the school which running under Right of Children to Free and Compulsory Education Act, (hereinafter referred to as the 'Act') can only run the school, who have owned the premises, otherwise recognition will not be granted as per Sections 18 and 19 of the Act.

Learned Standing counsel prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List thereafter.

In the meantime, no action shall be taken against the petitioner's association with regard to the owning of the building of the school.

Order Date :- 9.1.2020

T. Sinha