

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT  
JAIPUR**

S.B. Civil Writ Petition No.6981/2017

Devesh Kumar Agarwal And Anr

----Petitioner

Versus

State (Education Department) Ors

----Respondent



For Petitioner(s) : Mr. Ram Chandra Sharma.

For Respondent(s) : Mr. Anuroop Singhi with Mr. Saurabh Jain.

Mr. Viswas Saini.

**HON'BLE MR. JUSTICE ALOK SHARMA**

**Order**

**07/07/2017**

Reply to the petition has been filed.

Admit.

In the meantime it is directed that the children of the petitioners-i.e. Mitasha Agrawal daughter of Devesh Kumar Agrawal of student of Class-III and Lavankshi Agrawal daughter of Hari Mohan Agrawal student of Class-VIII be allowed to continue in the respective classes. The transfer certificate dated 31.03.2017 qua the aforesaid children shall remain stayed. The above direction regarding the students being allowed to continue in their respective classes will however be subject to payment of due fees for the Academic Session 2016-17 and 2017-18 along with late fees chargeable as per the regulations of the School. Future fee and charges leviable universally on all students similarly placed, as per the School's regulations, when due, shall be payable

without demur in the first instance.

It is further directed that the petitioners shall not visit the respondent-School and obstruct its functioning or create ruckus in the School, as the aforesaid situations lead to a spectacle and indiscipline in School which is not beneficial to its students. The petitioners shall however be free to attend the notified Parent Teachers' Meeting where they are directed to observe restraint and not create any commotion. Complaints if any with regard to the School be given in writing to the jurisdictional District Education Officer.

In the event any amounts paid under this interim order are found in excess of fee/ charges as finally determined by the School Level Fees Committee, the petitioners will be entitled to refund thereof with interest @ 15% p.a. from the date of deposit till the date of refund.

**(ALOK SHARMA) J.**

**Himanshu Soni**

**70.**

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