

Court No. - 1

Case :- P.I.L. CIVIL No. - 14526 of 2020

Petitioner :- Sunil Kumar Tripathi

Respondent :- State Of U.P. Thru. Prin. Secy. Secondary Education & Ors.

Counsel for Petitioner :- Abhishek Mishra

Counsel for Respondent :- C.S.C., Vindhyawashini Yadav

Hon'ble Pankaj Kumar Jaiswal, J.

Hon'ble Dinesh Kumar Singh, J.

When the matter was taken up today through Video Conferencing, Sri Abhishek Mishra, learned counsel for the petitioner and Sri Gopal Kumar Srivastava, learned Additional Chief Standing Counsel for the respondent no.1/State appeared.

By this writ petition under Article 226 of the Constitution of India, the petitioner has prayed for issuance of writ of mandamus directing the respondents to direct the management of the private schools/management to exempt the fee and transportation fee of the children/students during the period of lockdown.

Sri Gopal Kumar Srivastava, learned Additional Chief Standing Counsel for the respondents//State, on the basis of instructions, has submitted that Government Order No. 736 dated 15.05.2020 and Government Order No. 20 dated 07.04.2020 have already been issued by the State Government, directing all the private schools and its management not to charge full fee. He submits that pursuant to the aforesaid Government Orders, the District Basic Education Officer, Gonda has already issued an Office Memorandum dated 04.05.2020 directing all the private schools and its Management that no fee and transportation charge will be realized from the students during the period of lockdown.

Considering the aforesaid, we are not inclined to entertain this writ petition at this stage because the aforesaid Government Orders are in favour of the students and the matter has already been seized by the competent authority. Therefore, the petitioner is granted liberty to assail the action of the private schools and its management before the District Basic Education Officer, if occasion arises.

With the aforesaid liberty, the writ petition stands **disposed of**.

Order Date :- 3.9.2020

Ajit/-