

# Masonic Public School vs Central Board Of Secondary Education & ... on 21 March, 2018

**Author: Rekha Palli**

**Bench: Rekha Palli**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 1065/2017  
MASONIC PUBLIC SCHOOL ..... Petitioner  
Through: Ms.Vibha Mahajan Seth, Adv.

versus

CENTRAL BOARD OF SECONDARY EDUCATION & ORS  
..... Respondents  
Through: Mr.Amit Bansal with Ms.Seema  
Dolo, Advs. for R-1.  
Mr.Naushad Ahmed Khan, ASC for  
R-2 & 3.

CORAM:  
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 21.03.2018  
CM No.11140/2018

This is an application filed by the petitioner seeking amendment of the writ petition.

Issue notice. Mr.Amit Bansal, Advocate and Mr.Naushad Ahmed Khan, Advocate accept notice for respondent No.1 and respondent Nos.2 and 3 respectively and they do not oppose the amendment application.

Learned counsel for the petitioner submits that the petitioner is seeking amendment of the petition only to incorporate challenge to a consequential letter dated 28.11.2018 which has been issued by the respondents during the pendency of the present writ petition. She submits that the aforesaid amendment is necessary as it is essentially to formally challenge the aforesaid letter. She submits that by the aforesaid amendment, the nature of the issues raised in the petition will not be changed in any manner.

The application is allowed. The petitioner is permitted to replace Para 31.3, Ground G, H, I, L, M and O as also the prayer clause and add Para 31.2.5 as set out in the application. The amended writ petition filed along with the application is taken on record.

The application stands disposed of.

W.P.(C) 1065/2017 & CM No.4843/2017 The record shows that despite various opportunities, respondent Nos.2 and 3 have failed to file any counter affidavit till date. In view of the amendment of the writ petition being allowed today, the respondents are granted one last opportunity to file counter affidavit within six weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

Learned counsel for respondent No.1 submits after perusing the amended writ petition, she may be granted liberty to file an amended counter affidavit, if the need so arises. Rejoinder thereto, if any, be filed before the next date.

In order to enable the parties to complete pleadings, the next date of 09.04.2018 is cancelled and petition is adjourned to 24.07.2018.

REKHA PALLI, J MARCH 21, 2018/gm gm