

ITEM NO.27

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15912-15913/2018

(Arising out of impugned final judgment and order dated 26-04-2018 in FA No. 59/2016 26-04-2018 in FA No. 68/2016 passed by the High Court Of Jharkhand At Ranchi)

SHEOLI HATI

Petitioner(s)

VERSUS

SOMNATH DAS
(FOR ADMISSION and I.R.)

Respondent(s)

Date : 10-07-2018 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Sanjoy Kumar Ghosh, Adv.
Ms. Aninda Bhattacharya, Adv.
Mrs. Rupali Samanta Ghosh, AOR

For Respondent(s) Mr. Gopal Subramaniam, Sr. Adv.
Mr. Pavan Bhusan, Adv.
Mr. Ashok Panigrahi, Adv.
Mr. Anmol Tayal, Adv.
Mr. Ashok Panigrahi, AOR

UPON hearing the counsel the Court made the following
O R D E R

After hearing the learned counsel for the parties yesterday as well as today, we are of the opinion that there is no need to stay the directions of the High Court in the impugned order whereby the High Court has directed that the child Aditi Bisakha Das be admitted in Good Shephard International School, Ooty in Class V where the respondent has already secured admission for her. This arrangement, as per the High Court's order, is made for the Academic Year 2018-19. We also find that the High Court has passed this order after weighing and discussing all the alternatives and

pros and cons of the matter and has formed its opinion that it is one of the most suitable solutions.

We feel that once such an order is given on objective considerations, it is better that the child is admitted in the said School in the current academic year in order to find out as to how she is able to cope up with and studies in the said School at Ooty and what kind of progress she is able to make on shifting her from the present atmosphere to a boarding School.

We may also record that the petitioner and the respondent have filed certain cases against each other. The following cases have been filed by the respondent: (i) Contempt (Criminal) No. 8/2017 in F.A. No. 59/2016 and F.A. No. 68/2016 before the High Court of Jharkhand; (ii) Complaint No. 16/2018 before the Jharkhand Education Tribunal; (iii) CC No. 7604/2018 before the learned ACMM VIIIth Court at Bengaluru and (iv) I.A. in F.A. No. 59/2016 and F.A. No. 68/2016. Mr. Gopal Subramaniam submits that the respondent will withdraw those cases. He further submits that the respondent will not press Interim Application(s) in F.A. No. 59/2016 and F.A. No. 68/2016 in the High Court. On the other hand, assurance is being given by the learned counsel for the petitioner that the petitioner will not make any such allegations in future against the respondent.

In view of the above, no orders are required to be passed.

This matter stands adjourned.

(SUSHIL KUMAR RAKHEJA)
COURT MASTER (SH)

(RAJINDER KAUR)
BRANCH OFFICER