

ITEM NO.14            Court 6 (Video Conferencing)            SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1416/2020

KUSH KALRA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([ONLY CONNECTED W.P.(C) NO. 524/2021 IS LISTED ON 7.10.21]  
IA No. 87814/2021 - STAY APPLICATION)

WITH

W.P.(C) No. 524/2021 (PIL-W)

IA No. 106572/2021 - APPLICATION FOR PERMISSION)

Date : 07-10-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)    Mr. Kailas Udhavrao More, in-person

For Respondent(s)    Ms. Aishwarya Bhati, Ld. ASG  
                                 Ms. Archana Pathak Dave, Adv.  
                                 Ms. Ruchi Kohli, Adv.  
                                 Mr. Chinmayee Chandra, Adv.  
                                 Mr. Bhuvan Mishra, Adv.  
                                 Mr. Arvind Kumar Sharma, AOR

Mr. Nakul Dewan, Sr. Adv.  
Mr. Aditya Swarup, Adv.  
Mr. Manish Sharma , AOR

Ms. Divya Roy, AOR

In connected matter :

Mr. Mohit Paul, AOR

Mr. Naresh Kaushik, Adv.

Mr. Vardhman Kaushik , AOR  
Mr. Nishant Gautam, Adv.  
Mr. B. Purushottama Reddy, Adv.  
Mr. Manoj Joshi, Adv.  
Mr. Anand singh, Adv.  
Mr. Abhishek Verma, Adv.

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

W.P.(C) No. 524/2021

Application for permission to file rejoinder affidavit is allowed.

We have perused the affidavit filed on behalf of the Union of India in pursuance of our order dated 22.09.2021. *De hors* the niceties, the fact is that all boys schools were going to turn into a co-education institutions, is something the respondent has accepted. It will have its own ramifications in terms of infrastructure and personal requirements.

The one caveat we have is that what is being proposed is that the entrance examination scheduled in June, 2022 will be permitted to be taken by the girls resulting in their entry in January 2023 and periodically the strength would increase with a schedule given upto January, 2028.

The manner and how it has to be implemented, we leave to the respondent. There are however, two questions :

1) whether it is necessary to deny the girls the

opportunity to take part in the examination scheduled on 18.12.2021, the intake of which would arise only in June, 2022?

2) Whether the phase-II mentioned in the affidavit can be paced up to increase the number of entry of girls?

Insofar as Phase-I is concerned, learned ASG strenuously sought to contend before us that in view of the changes required, the pace at which Phase-I is stated should be permitted to go by what is the suggestion of the respondent.

We put to learned Additional Solicitor General that the respondent has walked a mile and should walk a step ahead. We do believe that six months is more than enough for a disciplined organization like the respondent to arrange their affairs.

Insofar as the examination scheduled on 18.12.2021 is concerned, what is stated is that the preparatory work is over. Be that as it may, we would like to adopt the same course of action as adopted in Writ Petition (Civil) No. 1416/2020 and give the same lee way to the respondent as set out in our order dated 22.09.2021 in Writ Petition (Civil) No. 1416/2020 and permit the girl candidates to appear in the examination scheduled for 18.12.2021. The necessary modified advertisement be

issued within two days without changing the schedule. We make it clear that this is applicable insofar as the Rashtriya Indian Military School (RIMC) is concerned.

Insofar as the Rashtriya Military Schools (RMCs.) are concerned, the process will begin with the academic session 2022-2023.

List on 18.01.2022.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)