

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
(Through Virtual Mode)**

CJ Court

Case No. WP(C) No. 1304/2025
CM No. 3482/2025

Delhi Public School Budgam

.....Appellant(s)/Petitioner(s)

Through: Mr. Areeb Javed Kawoosa, Advocate
vs

UT of J&K and ors.

..... Respondent(s)

Through: Mr. Mohsin S. Qadri, Sr. AAG with
Ms. Rahilla Khan, Assisting counsel

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

**ORDER
30.09.2025**

1. The petitioner (Delhi Public School, Budgam) has prayed for the following substantive reliefs:-

“(i) Issue an appropriate writ, order or direction, including one in the nature of Certiorari for quashment of impugned Order bearing No. 173 FFRC/2024 dated 28.11.2024 and Order bearing No. FFRC/FF/Corg/2025/4410 dated 14-03-2025 whereby the tuition fee and annual fee to be charged by the petitioner for session 2024-25, 2025-26 and 2026-27 has been regulated at unreasonably low rates, far below that of competitor schools or even schools with far fewer infrastructure facilities, which is hampering the proper functioning of the school.

(ii) Issue an appropriate writ, order or direction, including one in the nature of Mandamus commanding the Respondents allow the Petitioner to charge annual fee and tuition fee, as has been done in the case of other similarly situated private schools, in accordance with the application submitted with the Respondent No. 2 or at a rate commensurate with the other similarly situated private schools.

(iii) Issue an appropriate writ, order or direction, directing the Respondents to enhance tuition and annual fee charged per month in accordance with the applications submitted by the Petitioner before the Respondent Committee time and again and decide the application/representations of the petitioner keeping in view the financials submitted by the petitioner as expeditiously as possible.”

2. It is contended by the petitioner that the respondent Committee ignoring the application submitted by the petitioner and the documents appended therewith, has fixed the annual fee as well as tuition fee in terms of the orders impugned in this petition and being aggrieved thereof, the petitioner has also filed the review application dated 13.03.2025 before the respondent Committee but till date, the said review application has not been decided.
3. The respondent Committee has filed response, stating therein that order dated 28.11.2024 was passed after examining the petitioner's proposal, audited accounts, infrastructure and other relevant factors in accordance with the Jammu and Kashmir School Education Act, 2002 and the Jammu and Kashmir Private Schools (Fixation, Determination and Regulation of Fee) Rules, 2022. Precisely, the stand of the respondent Committee is that the orders impugned in this petition have been passed in accordance with the Rules in vogue.
4. Having heard learned counsel for the petitioner as also Mr. Mohsin S. Qadri, learned counsel for the respondents, we consider it expedient to dispose of this petition with a request to the respondent Committee that is already in seisin of the review application submitted by the petitioner to consider and decide the same at the earliest, taking into consideration the grounds urged by the petitioner in its review application.
5. Learned counsel for the petitioner submits that in the meanwhile, operation of the impugned orders dated 28.11.2024 and 14.03.2025 be stayed as the rights of the petitioner are seriously prejudiced due to the orders that have been assailed by the petitioner in this petition.

6. In the given circumstances, we grant the liberty to the petitioner to make an appropriate prayer in this regard before the Committee itself and we are sanguine that in the event any such application is moved, same shall be considered/dealt with by the Committee at the earliest and in accordance with law.
7. **Disposed of.**

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Jammu
30.09.2025
Neha-II

