

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.22 OF 2017

Mr. Sapan Shrivastava

..Petitioner

Versus

Central Board of Secondary Education
and others

..Respondents

Ms. Rachana R. Chavan, Legal Aid Counsel for the Petitioner.

Mr. Mihir Joshi, Advocate for the Respondent No.1.

Mr. S. P. Thorat, Advocate for the Respondent No.5.

Mr. Rui Rodrigues I/by Ms. Yogita R. Singh, Advocate for Respondent No.6.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 12th JULY, 2019

P.C.

1] The point is short.

2] Learned counsel for the CBSE does not dispute that schools affiliated to the Board cannot utilize school premises for any activity other than running the school. The premises cannot be used for any other school to conduct classes. Grievance in the Petition is to the 2nd Respondent affiliated to CBSE allowing schools by other names to operate from its premises.

3] Learned counsel for CBSE states that surprise inspection

of the premises of Respondent No.2 was conducted on 28.07.2017 and it was reported that from the premises two other schools were being run. A show-cause notice was issued. Reply was received admitting the wrong being committed.

4] Learned counsel for CBSC has no reply to the question as to why till date order was not passed.

5] We dispose of the Petition directing CBSE to pass necessary orders contemplated by law and not permit violation of law by Respondent No.2. To enforce the law, if there is defiance, recognition/affiliation shall be withdrawn.

N. M. JAMDAR, J

CHIEF JUSTICE