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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 13th February, 2019

+ W.P.(C) 2681/2018 & CM APPL. 10968/2018

SIMLA- CHANDIGARH EDUCATIONAL
SOCIETY AND ANR.

..... Petitioners

Through: Mr. Tarique Siddiqui, Ms.
Reetika Gupta and Mr. Aamir
Zaidi, Advs.

versus

CENTRAL BOARD OF SECONDARY
EDUCATION

..... Respondent

Through: Mr. Amit Bansal with Mr.
Seema Dolo, Advs. for CBSE

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

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J U D G M E N T (O R A L)

1. This writ petition was directed against an order dated 17th October/13th November, 2017, whereby the provisional affiliation granted to the petitioner-School was withdrawn.

2. Mr. Bansal, learned counsel for the CBSE, submits that the said allegation stands restored *vide* order dated 11th February, 2019.

3. As such, in view of the above, nothing survives for adjudication in this writ petition.

4. Learned counsel for the petitioner, however, draws my attention to prayer B in the writ petition, and asserts that one of the allegations,

on the basis whereof affiliation had been withdrawn, i.e. that the School had transferred funds to the Simla-Chandigarh Educational Society, Chandigarh, was not sustainable in law, as such transfer was permissible as per judgments rendered by the Supreme Court.

5. In my view, no occasion arises for this Court to enter into the aspect of restoration, by the CBSE, of provisional affiliation granted to the petitioner School.

6. It is trite that Article 226 of the Constitution of India is not intended for passing of orders which may only be of academic interest, when the main grievance in the writ petition stands redressed.

7. Accordingly, the writ petition is disposed of without entering any observations into the merits of the allegations contained in the impugned orders dated 17th October/13th November, 2017.

C. HARI SHANKAR, J

FEBRUARY 13, 2019

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