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

+ **W.P.(C) 5620/2024 & CM APPL. 23205/2024**

NATIONAL PUBLIC SCHOOL

.....Petitioner

Through: Mr. Kshitiz Mahipal, Ms. Khairun
Nisa, Ms. Jagriti Rana, Ms. Muskan,
Ms. Geeta Devi and Ms. Shirin Raza
Advocates

versus

UNION OF INDIA AND ORS.

.....Respondent

Through: Ms. Manisha Singh, Advocate for
CBSE

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
25.07.2024

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1. The petitioners herein are aggrieved by an order dated 22.03.2024 passed by the respondent, wherein the provisional affiliation granted to the petitioner has been cancelled. This cancellation was preceded by a Show Cause Notice dated 11.07.2023 which purported to note six deficiencies in the said institution.

2. On the first date of hearing, learned Predecessor Bench of this Court, *vide* order dated 23.04.2024, had observed that the order impugned in this petition is *prima facie* unsustainable, as the same appears to have been passed mechanically and without considering the reply filed by the petitioners to the Show Cause Notice. Further, the following interim order was passed:

“19. Till the next date of hearing, the operation of the impugned



order dated 22 March 2024 whereby the CBSE has withdrawn the affiliation of the school shall stand stayed.”

3. It has been pointed by the learned counsels appearing on behalf of both the parties that representations filed by the petitioner herein are pending before the respondent i.e. CBSE.
4. In view thereof, the concerned officer of the respondent/CBSE is directed to consider and pass appropriate order on such representation(s), within four weeks, under intimation to the present petitioner. In addition to passing order on the representation(s), the respondent/CBSE is also directed to consider this writ petition, as extension of the previous representation, and decide the same also within four weeks, taking into consideration the grounds taken in the previous representation as well as the present writ petition.
5. Needless to say, the interim order granted in this case will continue to operate till the representations, as directed above, are decided by the respondent/CBSE.
6. Further, in the event of the decision on the petitioner's representation being adverse to the petitioner, no action would be taken by the respondent/CBSE on the basis of the impugned order dated 22.03.2024 for two week's beyond the communication of the decision taken by the CBSE on the petitioner's representation.
7. In view of above, the present petition stands disposed of.
8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JULY 25, 2024/ns

Click here to check corrigendum, if any