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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 684/2025 & CM No.3318/2025

BHARTI VIDYA NIKETAN PUBLIC SCHOOLPetitioner

Through: Mr. Uttam Datt, Sr. Adv. with Mr.
Sandeep Pathak, Mr. Shivam
Srivastava and Mr. Subodh Kumar,
Advs.

versus

**CENTRAL BOARD OF SECONDARY EDUCATION
& ORS.Respondents**

Through: Mr. M.K. Sreegish and Ms. Tanya
Sharma, Advs. for CBSE.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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29.05.2025

1. The present petition has been filed under Article 226 of the Constitution of India seeking following relief:

“(a) Quash/set aside the Order No.CBSE/AFF./2730694/2024/01625 dated 05.11.2024 issued by the Respondents wherein the Affiliation granted to the Petitioner School Upto Senior Secondary Level have been withdrawn with immediate effect and further directed the Regional Officer, Delhi (West) to shift the Students of Class IX and XI of the Petitioner School to any nearby schools and further directed that the Petitioner School shall not take any new admissions or promote the students of lower classes in Class IX and XI by natural progression hereafter; and”

2. Notice in the present case was issued on 20.01.2025.

3. The case set out in the petition is that the respondent CBSE vide its



order dated 05.11.2024 had, *inter alia*, withdrawn the affiliation granted to the petitioner school upto Senior Secondary Level, with immediate effect.

The operative part of the said order reads as under:

“1. The affiliation granted to the school upto Senior Secondary Level be withdrawn with immediate effect.

2. Student in class X and XII are permitted to appear from the same school for session 2024-25.

3. However, the students who are presently in class IX and XI shall be shifted to nearby school by Regional Officer, Delhi (West). The school shall not take any new admissions or promote the students of lower classes in IX and XI by natural progression, hereafter

4. The school may seek restoration of affiliation upto secondary level after lapse of one academic year i.e. from 2026-27 after ameliorating the deficiencies pointed out with regard to running upto secondary level.

5. The school may seek restoration of affiliation upto senior secondary level only at least after 02 academic years of restoration upto secondary level, if so sought and granted.”

4. The petitioner school submitted its review representation dated 17.05.2025 against the aforesaid order, which is pending consideration.

5. Mr. Uttam Datt, learned Senior Counsel for the petitioner submits that in so far as the disaffiliation of the school for the Senior Secondary level is concerned, the petitioner is not pressing the present petition against the same, however, the concern of the petitioner is the disaffiliation of the petitioner till the secondary level (i.e. classes IX and X) in respect of which there is no allegation of dummy admissions.

6. He further submits that in so far as the deficiencies pointed out in the impugned order with regard to the infrastructure, the number of teachers etc. is concerned, the same, if any, are curable and the petitioner will cure them in a time bound manner.



7. He thus, contends that a direction may be given to the respondent/CBSE to decide the review representation dated 17.05.2025 and pass a speaking order in that regard. He submits that the petition may be disposed of in above terms with further direction that the impugned order to the extent it disaffiliates the petitioner school upto secondary level may not be given effect to till the disposal of petitioner's representation by the CBSE.

8. In view of the limited prayer articulated by Mr. Datt, this Court is of the view that the present petition can be disposed of with the aforesaid directions, as prayed for.

9. Mr. M.K. Sreegish, learned counsel appearing on behalf of respondent/CBSE submits that the respondent has no objection in case appropriate directions are passed by this Court.

10. Accordingly, regard being had to the undertaking given by the petitioner *apropos* curing of deficiencies as pointed out in the order dated 05.11.2024 in a time bound manner, as well as, the review representation having been made, it is directed that the same shall be considered and disposed of by the CBSE within three weeks by a speaking order, bearing in mind the curable nature of defects; the steps taken or to be taken by the petitioner school to cure the same and most importantly, the interest of the students studying classes IX and X. The CBSE shall be at liberty to conduct fresh inspection of the petitioner school, if deemed appropriate.

11. Further, keeping in mind that the students studying in classes IX and X of the petitioner school are also adversely affected and displaced by the impugned decisions, it is directed that the order dated 05.11.2024, to the extent it disaffiliates the petitioner school for the secondary level, shall not



be given effect to, till passing of the speaking order.

12. Needless to say, that the petitioner school will not run classes XI and XII nor will it induct any fresh students for said classes.

13. The petition along with pending application stand disposed of in the above terms.

VIKAS MAHAJAN, J

MAY 29, 2025

N.S. ASWAL