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

+ W.P.(C) 3948/2025, CM APPL. 18401/2025 & CM APPL. 23956/2025

DEEN BANDHU PUBLIC SCHOOL

.....Petitioner

Through: Mr. Sacchin Puri, Sr. Adv. with Mr. Sahil Sharma and Mr. Akash Gahlot, Advs.

versus

CENTRAL BOARD OF SECONDARY
EDUCATION

.....Respondent

Through: Mr. M.A. Niyazi, SC for CBSE with Ms. Anamika Ghai Niyazi, Ms. Kirti Bhardwaj, Ms. Nehmat Sethi and Mr. Arquam Ali, Advs.

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) Pass a writ of Certiorari or any other appropriate writ and /or directions quashing the Impugned Order bearing no. CBSE/AFF./2730243/2025/00338 dated 23.02.2025 passed by the Respondent Central Board of Secondary Education (CBSE) as being completely illegal, arbitrary, unconstitutional and in violation of principles of natural justice.

b) To renew the affiliation after 30.03.2015 also after considering all the facts which are pending adjudication.”

2. Notice in the present case was issued on 28.03.2025.

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



order dated 23.02.2025 had, *inter alia*, withdrawn the affiliation granted to the petitioner school upto Senior Secondary Level, with immediate effect.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 The affiliation granted to the school upto Senior Secondary Level be withdrawn with immediate effect.*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. The Students 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) by 31st March, 2025 for session 2025-26. 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. Mr. Sacchin Puri, 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.

5. 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 are curable and the petitioner will cure them in a time bound manner.

6. He thus, contends that liberty may be granted to the petitioner to make a representation to the respondent/CBSE with a request to restore the



affiliation upto Secondary Level and the petition may be disposed of. He further submits 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.

7. In view of the limited prayer articulated by Mr. Puri, this Court is of the view that the present petition can be disposed of with liberty as aforesaid.

8. Mr. M.A. Niyazi, learned Standing Counsel appearing on behalf of respondent/CBSE submits that the respondent has no objection in case appropriate directions are passed by this Court.

9. Accordingly, regard being had to the undertaking given by the petitioner *apropos* curing of deficiencies as pointed out in the order dated 23.02.2025, in a time bound manner, liberty is granted to the petitioner to make representation to the CBSE, within a period of three weeks, requesting for restoration of its affiliation up to secondary level. If any such representation is made, the same shall be considered and disposed of by the CBSE within two weeks thereafter, 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.

10. 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 23.02.2025, to the extent it disaffiliates the petitioner school for the secondary level, shall not be given effect to, till the passing of speaking order.



11. Needless to say, that the petitioner school will not run classes XI and XII nor will it induct any fresh students for said classes.
12. The petition along with pending applications stands disposed of in the above terms.

VIKAS MAHAJAN, J

MAY 29, 2025
N.S. ASWAL