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

+ W.P.(C) 4006/2025 & CM APPL. 18606/2025

MS CHARIKA NISCHAL & ORS.Petitioners

Through: Mr. Anujay Tiwari, Adv.

versus

CENTRAL BOARD OF SECONDARY
EDUCATION & ANR.

.....Respondents

Through: Mr. M.A. Niyazi, Standing Counsel
with Ms. Anamika Ghai Niyazi, Ms.
Kirti Bhardwaj and Ms. Nehmat
Sethi, Advs. for R-1/CBSE.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

03.04.2025

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1. *Vide* order dated 01.04.2025, this court had noted the concern of the petitioners that pursuant to the order of cancellation of affiliation, the students of Class IX and Class XI have been shifted to another school for next academic session. However, no school where the students would be transferred has been notified.

2. Mr. M.A. Niyazi, the learned Standing Counsel appearing on behalf of the respondent no.1/CBSE has handed over at Bar a copy of the order dated 02.04.2025 passed by the respondent no.1/CBSE and the same is taken on record.

3. A perusal of the aforesaid order shows that the students of Class X and Class XII have been adjusted in nine different schools for the Academic Session 2025-26. The details of such schools have been given in the form of



a tabulated chart in the aforesaid order dated 02.04.2025.

4. The learned counsel appearing on behalf of the petitioners articulate the concern of the students that some of the schools might be having a higher fee structure which the students, who have been shifted to the said school, may not be able to afford.

5. Mr. Niyazi, on the other hand, submits that in case the students do not find the fee structure of the transferee school at par with the earlier school, they can approach the CBSE again and in such situation the CBSE, after considering their request, will adjust such students in other school with a fee structure similar to earlier school.

6. The learned counsel for the petitioners has also invited attention of the court to the impugned order dated 24.02.2025 to contend that no discrepancy in the number of students enrolled, as well as, those attending the school on the day of inspection has been found by the respondent no.1/CBSE insofar as Class IX and Class X are concerned.

7. He further submits that other deficiencies or discrepancies pointed out in the impugned order are all curable defects.

8. In view of the above, let transferred students approach the schools which have been allotted to them by the CBSE and seek admission. In case there is any grievance with regard to substantial variation in fee structure, the petitioners are granted liberty to approach the CBSE again through their school.

9. Insofar as the submission of the learned counsel for the petitioners with regard to the curable defects is concerned, the petitioners after curing such defects may approach the CBSE in accordance with the bye-laws for fresh affiliation.



10. Needless to say that in case any application is made by the petitioners for fresh affiliation, the same shall be considered by the CBSE in accordance with the Affiliation Bye-Laws.

11. The petition is disposed of in the above terms. Consequently, the pending application also stands disposed of.

VIKAS MAHAJAN, J

APRIL 3, 2025

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