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

+ W.P.(C) 6229/2025 and CM APPL. 28449/2025

NEW KRISHNA MODEL PUBLIC  
SCHOOL

.....Petitioner

Through: Mr. Uttam Dutt, Sr. Advocate with  
Mrs. Zoya Mehta, Mrs. Dimple  
Mahana, Mr. Naman Kumar, Ms.  
Apoorva and Ms. Sonakshi Singh,  
Advocates.

versus

CENTRAL BOARD OF SECONDARY  
EDUCATION & ORS.

.....Respondents

Through: Mr. Naveen Kumar Raheja, Mr. Anant  
Vijay Singh and Ms. Apoorva,  
Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**  
**14.05.2025**

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1. The present writ petition has been filed laying challenge to the impugned order dated 23.02.2025, whereby the respondent / CBSE had passed an order directing that the affiliation granted to the petitioner school is withdrawn with immediate effect with further directions given *vide* letter dated 07.04.2025 to shift the students of Class IX and Class XI to nearby affiliated school by regional office.
2. Mr. Uttam Dutt, learned Senior counsel appearing on behalf of the petitioner invites attention of this Court to the Inspection Report on which the Show Cause Notice was premised. He submits that the final remark on



the report states that the school itself appears to be genuine for Classes Nursery to VIII; for Class IX the discrepancy is very little; and for Class X there was no discrepancy found. He, therefore, contends that since no major discrepancy was found upto the secondary level in the petitioner school, the CBSE ought not to have withdrawn the affiliation of the school till secondary level.

3. He submits that the only reason for passing the impugned order appears to be that in XI and XII, the number of students registered with CBSE did not match with the school's infrastructure and their attendance on the date of inspection was low. The school in its reply to the Show Cause Notice had given plausible reason for the same as well. It was stated in the said reply that GRAP norms were applied in Delhi-NCR, due which classes were held in hybrid mode.

4. Mr. Dutt submits that even the deficiencies pointed in respect of the senior secondary level with regard to the lesser rooms and number of students of class XI and XII registered with CBSE not matching with infrastructure are curable defects. The school has already cured some defects and will cure remaining defects in a time bound manner. With regard to the strength of the students in class XI and XII, the school will give an undertaking to reduce the strength matching with its infrastructure, as may be permitted by the CBSE after inspection of the school.

5. He contends that the punishment of withdrawal of affiliation, for one and two years, for the secondary and senior secondary level, respectively, is disproportionate to the deficiencies alleged.

6. Mr. Dutt contends that for the time being, he will not press the present writ petition any further, in case direction is given to the CBSE to treat the



present writ petition as representation for restoration of affiliation upto Senior Secondary Level, and the same may be disposed of by a speaking order after affording personal hearing to the petitioner.

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

8. Accordingly, regard being had to the finding recorded in the inspection report to the effect that the school appears to be genuine and there are hardly any discrepancies found upto secondary level, and the school has shown inclination to cure the alleged deficiencies in respect of senior secondary level as well, the present petition is disposed of with a direction to CBSE to treat the present petition as representation for restoration of affiliation, or for imposition of a lesser punishment commensurate with alleged deficiencies.

9. The representation may be disposed of within three weeks by a speaking order after affording personal hearing, bearing mind the curable nature of defects and the steps taken by the petitioner to cure the same and most importantly, the academic interest of the students. The CBSE shall be at liberty to conduct fresh inspection of the petitioner school, if necessary. It may also obtain an affidavit from the school in the form of an undertaking to remove the deficiencies in a time bound manner, if deemed appropriate.

10. The order so passed shall be communicated to the petitioner school within one week thereafter.

11. In the meanwhile, considering the academic interest of the students of the school, who will be adversely affected and displaced by the impugned order, it is directed that the impugned order shall remain stayed, till the



passing of the aforesaid speaking order.

12. Needless to say, the petitioner school will not induct any fresh students for the Classes XI and XII, till the passing of speaking order, and thereafter it will abide by the speaking order.

13. The petition alongwith pending applications, is disposed of in the above terms.

**VIKAS MAHAJAN, J**

**MAY 14, 2025/PB**