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

+ **W.P.(C) 7185/2025**

NAV GIAN DEEP SR. SEC. PUBLIC SCHOOLPetitioner

**Through: Mr. Uttam Datt, Sr. Adv. with Mr.
Sandeep Kumar Pathak, Adv.**

versus

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

.....Respondents

**Through: Ms. Manisha Singh, Adv. for R-1, 3
& 4/CBSE.**

**Ms. Rachita Garg and Mr. Agam
Rajput, Advs. for R-2/GNCTD.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% 26.05.2025

CM APPL. 32363/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**W.P.(C) 7185/2025 & CM APPL. 32364/2025 (by the petitioner under
Section 151 CPC seeking interim relief)**

3. The present petition has been filed seeking following relief:

*“(a) Quash/set aside the Order No.CBSE/AFF./ 2730452/
2024/00345 dated 23.02.2025 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Upto Senior Secondary Level have been withdrawn with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.”

4. Mr. Uttam Datt, learned Senior Counsel appearing on behalf of the petitioner submits that *vide* impugned order dated 23.02.2025, the affiliation granted to the petitioner school has been withdrawn by the respondents/CBSE.
5. He submits that essentially the allegations against the petitioner school are that it has indulged in sponsoring non-attending students in Classes XI and XII.
6. He submits that insofar as the petitioner school till secondary level is concerned, the discrepancies pointed out by the respondents/CBSE are infrastructural, which are curable.
7. He submits that the disaffiliation of the petitioner school in entirety i.e. till senior secondary level will not only affect the students of Classes XI and XII, but will result in displacement of students of Classes VIII and IX as well.
8. He submits that for the time being, the petitioner school is not pressing its relief in respect of restoration of disaffiliation to the extent of senior secondary level, however, liberty may be granted to the petitioner school to submit an additional representation to the respondent/CBSE praying for restoration of affiliation up to secondary level.
9. He submits that the discrepancies up to secondary level, which have been referred to in the impugned order are curable and the petitioner school has already taken steps to cure the same. He further submits that the petitioner school undertakes to remove remaining discrepancies as well and



file a representation thereafter.

10. This Court cannot be unmindful of the fact that apart from the petitioner school and respondent/CBSE, the students are also stakeholders insofar as the aspect of disaffiliation of the petitioner school is concerned.

11. There is merit in the submission of Mr. Datt that in case the petitioner school is disaffiliated in entirety i.e. even for the secondary level, the students of Classes VIII and IX, who ought to have been promoted to Classes IX and X, respectively, in the present academic session by natural progression, would also get displaced and their studies would be adversely affected.

12. Having regard to the limited prayer made by Mr. Datt, the present petition is disposed of with liberty to the petitioner school to make an additional representation to the respondent/CBSE praying for restoration of affiliation till secondary level within a period of three weeks.

13. In case any such representation is made by the petitioner school, the same shall be considered by respondent/CBSE having regard to the academic interest of the students. In case the respondent/CBSE deems it appropriate, it may carry out any further inspection of the petitioner school.

14. The representation, if made by the petitioner school, shall be disposed of by the respondent/CBSE within a period of two weeks. Till the disposal of representation, the withdrawal of affiliation, insofar as the secondary level is concerned, shall remain stayed.

15. It is made clear that the petitioner school will not take any new admissions in Classes XI and XII.

16. It is further clarified that nothing has been expressed on the merits of the case.



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

MAY 26, 2025

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VIKAS MAHAJAN, J