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

+ **W.P.(C) 17454/2024 & CM APPL. 74208/2024**

USM PUBLIC SEC. SCHOOL

.....Petitioner

Through: Mr. Uttam Dutt, Senior Advocate
with Ms. Zoya Mehta, Ms. Sonakshi Singh, Mr.
Akhilesh Kumar Singh, Mr. Rakesh Kumar, Mr.
Harshit Sharma and Mr. Naman Kumar,
Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Kirti Bhardwaj, Ms. Nehmat
Sethi and Mr. Adnan Naqash, Advocates for
R-2/CBSE.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **02.12.2025**

1. This writ petition is filed on behalf of the Petitioner under Article 226 of the Constitution of India seeking following reliefs:-

“a) To direct the Respondent No.2 to consider the representation filed by the Petitioner on dated 12.12.2024 for recalling/reconsideration of the impugned order dated 05.11.2024 in the interest of justice.

b) To set-aside the order dated 05.11.2024 passed by the Joint Secretary, CBSE for provisional affiliation granted to the school after Senior Second Level be withdrawn with immediate effect.

c) To pass an order to restrain the Respondent No.2 to the students who are presently in Class IXth and XIth shall be shifted to nearby school.

d) Any other relief which this Hon'ble Court may deem fit and proper also be passed in favour of the Petitioner.”

2. At the outset, Mr. Uttam Dutt, learned Senior Counsel for the Petitioner submits, on instructions, that Petitioner does not press this petition for Senior Secondary level and restricts the reliefs for Secondary level. It is further submitted that an additional affidavit has been filed by the Petitioner



in compliance of order dated 19.09.2025, whereby Petitioner was directed to state on affidavit whether all deficiencies were cured as also indicate the number of teachers, their qualifications, including CTET and mode of payment of salaries. It is urged that Petitioner has brought forth in the affidavit that all deficiencies have been cured inasmuch as out of 17 classrooms, sizes of 9 classrooms have been extended and remaining shall be extended in four months. Music room and dance room have been separated and an indoor sports room has been constructed. Proper record of section-wise student strength; attendance register; admission withdrawal register etc. is being maintained. Appointments to the posts of Librarian, Dance Teacher and Art Teacher with requisite qualifications have been made. As per the list of teachers uploaded on OASIS, all teachers possess the requisite qualifications and in case of any deficiency, requisite steps will be taken immediately to rectify the same. Other compliances have also been made as detailed in paragraphs 7, 8 and 9 of the affidavit. Learned Senior Counsel places reliance on the judgment of the Division Bench of this Court in ***Central Board of Secondary Education vs. Mount Columbus School and Ors.*** in ***LPA No. 568/2024*** and submits that in case CBSE is of the view that any deficiencies exist, it may re-inspect the school premises and point out the defects/deficiencies and Petitioner will endeavour to cure the same within a time bound frame.

3. Learned counsel for CBSE submits that the deficiencies pointed out to the Petitioner at the time when show cause notice was issued, have not been cured/rectified in entirety and necessary steps to cure them have not been taken. It is, however, fairly stated that CBSE is not averse to a re-inspection of the school premises.

4. Considering the rival submissions of the parties, in my view, at this



stage, the matter can be resolved by directing CBSE to conduct a re-inspection of the school premises to find out if any defects/deficiencies exist, which had led to passing of the impugned order dated 05.11.2024, whereby affiliation of the school upto Secondary level was withdrawn with liberty to seek restoration after lapse of one academic year i.e., 2026-2027, after curing the deficiencies pointed out. The re-inspection will be carried out by CBSE within four weeks from today and needless to state that it will be confined to the deficiencies highlighted in the show cause notice dated 13.09.2024. Inspection report shall be furnished to the Petitioner and Petitioner will take necessary steps to cure the deficiencies, if any, as undertaken.

5. Needless to state that it will be open to the school to send necessary communication to CBSE pointing out the steps taken to cure the deficiencies. Depending on the response by the school and the steps taken, CBSE will take a fresh decision on restoration of affiliation for academic session 2026-2027 for Secondary level. It will be open to the Petitioner to take recourse to legal remedies in case of any surviving or further grievance. Since CBSE has to conduct re-inspection and a fresh decision will be taken, impugned order dated 05.11.2024, to the extent the affiliation was withdrawn for Secondary level school is set aside, making it clear that the interference in the impugned order is not on merits of the case.

6. Writ petition stands disposed of in the aforesaid terms along with the pending application.

JYOTI SINGH, J

DECEMBER 2, 2025/AK