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

+ W.P.(C) 17798/2024, CM APPL. 75788/2024, CM APPL. 11482/2025 & CM APPL. 32565/2025

S G N PUBLIC SCHOOL

.....Petitioner

Through: Mr. Sacchin Puri, Sr. Adv. with Mr. Prakash Kumar, Mr. Sandeep Pathak, Mr. Praveen Kumar, Mr. Pushpender Kaushik, Mr. Shivam Srivastva, Mr. Subodh Kumar, Mr. Prince Kumar, Mr. Siddharth Jha, Mr. Fardeen Khan and Mr. Harsh Vardhn, Advs.

versus

CENTRAL BOARD OF SECONDARY EDUCATION

.....Respondent

Through: Ms. Manisha Singh, Adv. for CBSE.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **27.05.2025**

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./2730243/2024/01621 dated 05.11.2024 passed by the Respondent Central Board of Secondary Education (CBSE) as being completely illegal, arbitrary, unconstitutional and in violation of principles of natural justice.”

2. Notice in the present case was issued on 15.01.2025.

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



order dated 05.11.2024 had, *inter alia*, withdrawn the provisional affiliation granted to the petitioner school upto Senior Secondary Level, with immediate effect.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 The provisional affiliation granted to the school up to senior secondary level be withdrawn with immediate effect.*
- 2. Student 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). 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. The petitioner school submitted its review representation dated 30.04.2025 against the aforesaid order, which is still pending consideration.

5. Mr. Sacchin Puri, learned Senior Counsel for the petitioner submits that insofar 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.

6. He submits that insofar 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 has already removed the deficiencies.



7. He thus, contends that a direction may be given to the respondent/CBSE to decide the review representation dated 30.04.2025 and pass a speaking order in that regard.

8. He submits that the petition may be disposed of in above terms with further direction 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.

9. 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 the aforesaid directions, as prayed for.

10. Ms. Manisha Singh, learned counsel appearing on behalf of respondent/CBSE submits that the respondent has no objection in case appropriate directions are passed by this Court.

11. Accordingly, regard being had to the undertaking given by the petitioner *apropos* curing of deficiencies as pointed out in the order dated 05.11.2024, as well as, the review representation dated 30.04.2025 already having been made after curing of deficiencies as stated, it is directed that the same shall be considered and disposed of by the CBSE within three weeks 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.

12. 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 05.11.2024 to the



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

13. Needless to say, that the petitioner school will not run classes XI and XII nor will it induct any fresh students for said classes.

14. The petition along with pending applications stands disposed of in the above terms.

VIKAS MAHAJAN, J

MAY 27, 2025

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