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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4010/2026

**CENTRAL PUBLIC ACADEMY THROUGH ITS
ADMINISTRATOR**

.....Petitioner

Through: Mr. U.S Gautam, Mr. Shubham
Shukla, Mr. Prabhanshu, Mr. Tarun Kumar, Mr.
Ishu Sharma, Ms. Anu Madhan, Advs.

versus

CENTRAL BOARD OF SECONDARY EDUCATION

.....Respondent

Through: Mr. M.A. Niyazi Adv. Standing
Counsel for CBSE With Ms. Anamika Ghai Niyazi
Adv., Ms. Kirti Kumari Adv., Ms. Nehmat Sethi
Adv., Mr. Adnan Ashfaq Naqash Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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07.04.2026

CM APPL. 19623/2026

Exemptions granted, subject to all just exceptions.

The application is disposed of.

W.P.(C) 4010/2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

- “a. Set aside or quash the impugned order dated 26.02.2026
passed by the CBSE At New Delhi Authorities; AND
b. Issue a writ of mandamus or any other writ against the
respondent restore affiliation of the petitioner school;*



c. Pass an order thereby directing the Respondent to reinspection of petitioner's school as per Rules/ Law, if required as petitioner's school had completed all the necessary compliance as required as of now under such terms and conditions as this Hon'ble court may deem fit, ..."

2. The School Management Committee of Central Public Academy, Azamgarh, has filed the present writ petition challenging the CBSE's order dated 26.02.2026, whereby the school's provisional affiliation for the Senior Secondary level was withdrawn. The petitioner contends that the school has been compliant with CBSE norms since its establishment in 2015, and that the impugned action stems from a surprise inspection conducted on 24.09.2025 following an anonymous complaint.

3. Pursuant to the inspection, a show-cause notice dated 17.11.2025 was issued highlighting alleged deficiencies, to which the petitioner submitted a detailed reply on 15.12.2025, explaining that the discrepancies were minor, administrative, and already rectified.

4. Thereafter the impugned order dated 26.02.2026 was passed which did not appreciate the documents filed by the petitioner.

5. The impugned order reads as under:-



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(शिक्षा विभाग, भारत सरकार के अधीन एक स्वायत्त संगठन)
CENTRAL BOARD OF SECONDARY EDUCATION
(An Autonomous Organisation under the Ministry of Education, Govt. of India)



NO. CBSE/AFF./2132109/E-151906/2026 /00/3/

Date : 26.02.2026

ORDER

CENTRAL PUBLIC ACADEMY, HAMIDPUR, AZAMGARH, UTTAR PRADESH (Affiliation No.2132109) was given composite provisional affiliation for Secondary Level w.e.f. 01/04/2015 to 31/03/2018 and further upgraded to Senior Secondary Level w.e.f. 01.04.2017 to 31.03.2020. The school got extension from time to time and as on date it is affiliated upto 31.03.2031 subject to the conditions that the school would abide by the provisions of Affiliation and Examination Bye-Laws of the Board as well as other rules & regulations prescribed by the Board from time to time.

AND WHEREAS, all affiliated schools have already been informed through Board's notification dated 18.10.2018 to ensure compliance with the terms and condition mentioned in the Affiliation Bye-Laws, 2018 and also that the Board may conduct surprise inspection of school(s) any time to verify the status of compliance. Clause No. 12 of Affiliation Bye-Laws clearly lays down that any non-compliance of Examination and Affiliation Bye-Laws shall be considered as violation and action shall be taken as per the Rules in Chapter 12 of the Affiliation Bye-Laws, 2018.

AND WHEREAS, Chapter 14 "General Rules", provides for the rules which are required to be mandatorily followed. Clause no.14.1 states that, "Every school is bound to follow the Affiliation Bye-Laws of Board mutatis mutandis." And, clause No. 14.2 of the Affiliation Bye-Laws, 2018, stipulates that, "It is mandatory for every affiliated school to follow the Examination Bye-laws of the Board mutatis mutandis."

AND WHEREAS, clause 11.4 of the Affiliation Bye-Laws 2018, related to the Surprise Inspection of the schools states that, "The Board may any time get an affiliated school inspected by a committee of one or more members without giving any notice to the school."

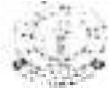
AND WHEREAS, clause 14.19 (a) of the Affiliation Bye-Laws 2018, states that the School shall maintain the following records / documents (a) Admission and withdrawal register" and 14.19 (d) of the Affiliation Bye-Laws, 2018, stipulates that, "Service records of Teaching and Non-Teaching Staffs which include Appointment Letters, Confirmation Letters, Service Books and other service related correspondence."

AND WHEREAS, clause No. 9.2.5 of the Affiliation Bye-Laws, 2018, states that "Be responsible for the proper maintenance of accounts of the school, school records, service books of teachers, and such other registers, returns and statistics as may be specified by the Society/Board."

AND WHEREAS, clause No. 14.13 of Affiliation Bye laws 2018 which stipulates "The school shall have laboratories for all subjects offered in the school wherever required. The equipment, reagents



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and specimens etc. kept in laboratories shall be in accordance with the laws, rules and regulations applicable.

AND WHEREAS, clause No. 10.1.16 of Affiliation Bye laws 2018 which stipulates "In case any of the statements made by the school in the application are found to be false or any of documents uploaded by the school are found to be fake/forged/fabricated/tampered, the application of the school is liable to be rejected and the school shall be liable for imposition of any of the penalties mentioned in clauses 12.1.1 to 12.1.10 in a manner as deemed fit by the Board in addition to the criminal action without any notice to the school."

AND WHEREAS, clause No. 14.2.2 of Affiliation Bye laws 2018 which stipulates "No affiliated school shall present the candidates to the Board's examination who are not on its rolls."

AND WHEREAS, clause No. 2.3 of Affiliation Bye laws 2018 which stipulates "Any educational institution in India or abroad which fulfils the following essential conditions may apply to the Board for Affiliation under sub clause 2.3.1 to 2.3.10 i.e., Establishment of School, Registration Under Law, School Management Committee, Recognition from the respective State Government, No Objection from the respective State Government, Land requirement etc.,"

AND WHEREAS, clause No. 4.7.7 of Affiliation Bye laws 2018 which stipulates "The School should scrupulously observe prescription from the State Government/Municipal Authority/Transport Department regarding health & hygiene, drinking water, fire safety, building safety and transport precautions in the school."

AND WHEREAS, clause No. 5.4 of Affiliation Bye laws 2018 which stipulates The pupil teachers' ratio should not exceed 30:1 in the school. In addition to this there must be 1:5 teachers per section, excluding principal, physical education teacher and counselor, to teach various subjects.

AND WHEREAS, clause No. 10.1.12 of the Affiliation Bye-Laws, 2018, stipulates that, "It shall be the responsibility of the school to provide all assistance to Inspection Committee members to enable smooth conduct of inspection and shall produce any document, witness or records as called by the Inspection Committee members during inspection and provide unfettered access to school, building and infrastructure to the Inspection Committee members

AND WHEREAS, clause No. 11.7.16 of the Affiliation Bye-Laws, 2018, stipulates that, "It shall be the responsibility of the school to provide all assistance to Inspection Committee members to enable smooth conduct of inspection and shall produce any document, witness or records as called by the Inspection Committee members during inspection and provide unfettered access to school, building and infrastructure to the Inspection Committee members.

AND WHEREAS, on the basis of the complaint received from the candidate regarding the school registering students from unaffiliated schools for the Board Examination. Taking cognisance of the complaint and on the basis of the enabling provisions contained in clause 11.4 of the Affiliation Bye-



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Laws, 2018, the Board conducted a Surprise Inspection of the Central Public Academy, Hamidpur, Azamgarh, Uttar Pradesh (Affiliation No.2132109) on 24.09.2025, through two members Inspection Committee.

- A. On the basis of the report submitted by the Inspection Committee and analysing the data available with the Board, the following Inter alia violations were noticed:
 - a. When the committee enquired that the school produce the complete actual record of admission forms, transfer certificates and related documents of all students, the same could not be produced. Further, the committee had noticed that the Admission and Withdrawal Register (AWR) was not updated. This is a violation of Clause 14.19 (a), 9.2.5,9.2.12 of the Affiliation Bye-Laws 2018 of the Board.
 - b. The Inspection Committee (IC) reported that the school had only one combined laboratory being used for Biology, Chemistry and Physics, whereas the OASIS data indicates the availability of nine separate laboratories. Furthermore, the IC noted that the computer laboratory had only eight computers in working condition. This is a violation of Clause 14.13 of the Affiliation Bye-Laws 2018 of the Board. and also a violation of circular 11_2022, computer lab should have a minimum of 40 computers.
 - c. The committee reported that the school had total of seventeen functional classrooms were available on the ground and first floors, which appeared inadequate in relation to the student strength reported in OASIS. The Committee observed that the findings clearly indicate a discrepancy between the details reflected in the OASIS report and the ground reality. This is violation of clause 10.1.16 of the Affiliation Bye-Laws 2018 of the Board.
 - d. The committee found inconsistencies between the attendance records and the physical headcount, indicating possible overreporting of student presence.

Class	No. of sections permitted to the School	No. of students as per OASIS Data/Registered with Board as per LOC	Present as per attendance register/physical count on the day of inspection (24.09.2025)	Difference (Registered - Present)
Balvatika 1	1	40	27	+13
Balvatika 2	1	34	33	+1
Balvatika 3	1	40	51	-11
Class I	1	34	55	-21
Class II	1	36	22	+14
Class III	1	39	22	+17
Class IV	1	30	37	+1
Class V	1	38	31	+7
Class VI	2	78	39	+39
Class VII	2	79	34	+45
Class VIII	4	145	30	+115
Class IX	12	472	45	+427
Class X	12	425	35	+390
Class XI	9	309	48	+261
Class XII	8	307	25	+282



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As per the data presented in the table, the discrepancies are both wide and consistent, clearly indicating that the figures recorded in OASIS do not reflect the actual ground situation. Several hundred students shown as enrolled in OASIS could not be accounted for in the schools' attendance registers or during the physical headcount. The committee also reported that the Principal and teachers themselves acknowledged that the actual student strength corresponds only to the attendance register. This fact was further corroborated through direct interaction with the students present in the school.

- e. The IC had reported that 19 teachers were present as per the attendance register on the day of inspection. When enquired to produce the salary roll of teaching and non-teaching staff, the school authorities were unable to provide the same. This is a violation of Clause 14.19 (d) of the Affiliation Bye-Laws 2018 of the Board.
- f. The school had not produced the documents such as NOC, recognition certificate and other mandatory certificates to the committee. Further the Building safety certificate, Fire safety certificate and safe drinking water certificate produced found to be already expired. There is a violation of Clause 2.3 & 4.7.7 of the Affiliation Bye-Laws 2018 of the Board
- g. The Inspection committee had reported that it is evident that the schools infrastructure and classroom capacity do not correspond with the large number of students shown in the OASIS report. The mismatch between OASIS data and physical verification, both in term of infrastructure and student enrolment, indicates that the schools reported figures are not genuine. There is a violation of Clause 14.2.2 of the Affiliation Bye-Laws 2018 of the Board. Further, to summarise the committee had stated that school could not produce the actual admission form, transfer certificate, or related records pertaining to the complainant candidate, nor of other candidates, when it was enquired. Seeing the non updation of the Admission and Withdrawal register and the discrepancies in the count of physical verification and OASIS data combined with lack of complete admission records, support the complainants allegation that the school sponsored non-regular students for the Board Examination.

AND WHEREAS, the schools affiliated with the Board are required to maintain high academic standards for imparting education and overall development of the students enrolled there and to adhere to the Affiliation and Examination Bye-Laws of the Board for their functioning. However, during the surprise inspection on 24.09.2025, Central Public Academy, Hamidpur, Azamgarh, Uttar Pradesh was found to be flouting and committing the above mentioned severe gross violations of the Affiliation Bye-Laws in its functioning.

B. In order to follow the principle of natural justice, a Show Cause Notice dated 17.11.2025 was issued to the school, providing the school an opportunity to submit its explanation/clarification

C. FINDINGS & ANALYSIS

The school vide its reply dated 15.12.2025 has, inter alia, made the following submissions in response to the points raised in the Show Cause Notice dated 17.11.2025. The analysis of the



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submissions made by the school in its reply dated 15.12.2025, along with the observations regarding the violations committed by the school, is as follows:

1. Regarding the non-Proper maintenance of the Admission and Withdrawal register (AWR), the school has stated that due to limited familiarity with the internal administration structure and record management systems of the school by the Principal, who had recently joined (July 2025). Further, due to ongoing infrastructure upgradation, several administrative records have been temporarily shifted to the newly constructed building for reorganisation, and all the records are available.
The submission of the school is not satisfactory, as merely stating that a new principal was appointed in July 2025 is not justifiable; this information was not provided to the inspection committee. Further, the school had not provided, along with the reply, a copy of the AWR details, transfer certificate, or related records of the complainant candidate, nor those of any other candidate. The maintenance of statutory records is a continuous institutional responsibility and cannot be attributed to a change in personnel. This is a violation of Clause no.14.19 and 9.2.5 of Affiliation Bye-Laws-2018 of the Board.
2. The school has stated that school operates teaching facilities in two separate buildings on the same campus, due to classes running simultaneously in both buildings and the Principal's unfamiliarity with this arrangement, the complete student strength could not be demonstrated during the inspection.
The submission of the school is not satisfactory, the school has not supported the inspection committee with the complete information of availability of two separate building on the same campus and the school is again merely stating that *new principal unfamiliar with the arrangement*, as the Principal being the Head of the Office should be aware of the actual functioning classes in each building in the campus and the fact of restructuring to administrative block was not intimated to the inspection committee at the time of inspection. This is a violation of Clause no.9.2.2 of Affiliation Bye-Laws-2018 of the Board
3. The school has stated that regarding admission and withdrawal registers and other documents that all mandatory documents are fully available with the school, due to ongoing infrastructure upgradation, several administrative records had been temporarily shifted to the newly constructed building for safe keeping.
The submission of the school is not acceptable, it is the responsibility of the school to provide the required documents/information to the inspection committee and further the fact of infrastructure upgradation was not intimated to the inspection committee. Further along with the reply the school has not provided the evidence of copies of AWR registers and other documents to prove that the said documents are available. This is a violation of clause no.14.19 "Records/Documentation" of Affiliation Bye-Laws-2018 of the Board.
4. The school has stated that new lab block was in the stage of rearrangement, and some equipment has been temporarily shifted for safety during the upgradation process. This created the impression of inadequate laboratory facilities. Further stated that all laboratories



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are now fully functional, completely equipped, and practical classes are being conducted regularly.

The submission of the school clearly indicates that at the time of inspection the laboratories were not operational. The fact of shifting for upgradation was not intimated to the Physical inspection team. Further, the school is found to be silent in the reply letter about the computer lab and availability of number computers as the inspection committee reported that only 8 computers are available during physical inspection. It is also noticed that the school has not provided the evidence to substantiate the functioning of the Labs by providing the copies of lab stock register, lab attendance register etc. This is a violation of clause no.4.2 and 4.4 of Affiliation Bye-Laws-2018 of the Board.

5. Regard to classroom capacity, OASIS data and comparison of the attendance and physical presence, the school had replied that the total available classrooms were not fully presented during inspection as the classes were running in both the main building and the rear building. Additionally, due to shifting of sections and renovation works, the mapping of rooms did not reflect properly on that day. This led to a mismatch with OASIS data.

The submission of the school is not acceptable, it is the responsibility of the school to provide complete information to the inspection committee. In the reply letter, the school has not provided the proof of class-wise/section-wise attendance records for classes IX to XII, class wise timetable schedule, the reason for heavy absence of the students from class IX to XII etc., As per the committee report only 17 functional classrooms were found in the school, whereas, the school is running 56 sections which clearly conclusively establishes that the students registered in Classes IX to XII are non-attending as 56 sections cannot be accommodated in 17 classrooms. This is a violation of clause no.14.2.2 of Affiliation Bye-Laws-2018 of the Board.

6. Regarding attendance and physical presence, the school has stated that some students were present in the rear building and in special remedial sessions at the time of physical verification. Further, because the Principal was newly appointed and not fully aware of the class distribution and updated timetables could not present a clear picture of the student presence.

The submission of the school is not acceptable, once again the school is seeking excuse by informing that the Principal was newly appointed and this fact was not informed to the inspection committee. The committee has clearly stated that "*Principal and teachers themselves acknowledged that the actual student strength is only as per the attendance register and the same has also been verified with students present in the school.*" This is a violation of clause no.14.2.2 of Affiliation Bye-Laws-2018 of the Board.

7. With regard the teachers record, the school has stated that temporarily shifted during the restructuring of the administrative block and therefore the records could not be provided during inspection.



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observed are clearly manifesting willful non-observance of the Affiliation Bye Laws, to the extent of deliberately sponsoring non bona fide students, it can only be concluded that the school is liable for the severest of the penalties as can be imposed viz., withdrawal of affiliation.

E. ORDER

In light of the submissions made by the school in its reply and documents on record, the Competent Authority of the Board has ordered as follows:

- i. The affiliation granted to the school up to Senior Secondary School Examination Level is withdrawn with immediate effect.
- ii. The students in Class X and XII are permitted to appear from the same school for the session 2025-26.
- iii. The students who are presently in class IX and XI shall be shifted to a nearby school by the Regional Office, Prayagraj, by 31.03.2026 for the session 2026-27. The school shall not take any new admissions or promote the students of lower classes in IX and XI by natural progression, hereafter.
- iv. The school may seek restoration of affiliation up to Secondary Level after lapse of two academic year i.e. from 2028-29, after ameliorating the deficiencies pointed out with regard to running up to secondary level.
- v. The school may seek restoration of affiliation upto senior secondary level after grant of affiliation to Secondary Level.

This issues with the approval of the Competent Authority.

26/03/24
JOINT SECRETARY (AFFL.)

THE MANAGER
CENTRAL PUBLIC ACADEMY,
SHAHEEDWARA NEAR P.G. COLLEGE
AZAMGARH UTTAR PRADESH – 276207

Copy to:

1. The Principal, Central Public Academy, Shaheedwara, Near P.G.College, Azamgarh, U.P
2. The Regional Officer, Regional Office, CBSE, Lucknow-For Information.
3. The CVO, CBSE HQ, Dwarka, Sector- 23, Delhi-For kind information.
4. The Joint Secretary (A & L), CBSE HQ, Dwarka, Sector-23, Delhi-For information.
5. The Joint Secretary (Coord.), CBSE HQ, Dwarka, Sector-23 Delhi-For information.
6. The Joint Secretary (IT), CBSE HQ, Dwarka, Sector-23 Delhi-For necessary action.
7. JS to Chairman, CBSE-For kind information of the Chairman, CBSE.
8. The Deputy Secretary, PR Unit, CBSE HQ, Dwarka, Sector-23 Delhi - For information.
9. Sr. PPS to Secretary, CBSE - For kind information of the Secretary, CBSE

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JOINT SECRETARY (AFFL.)



6. Mr. Gautam, learned counsel for the petitioner, has also relied on the judgment of this Court passed in ***Central Board Of Education v. Mount Columbus School, 2024 SCC OnLine Del 5285 and Khemo Devi Public School vs. Central Board of Secondary Education 2025 SCC OnLine Del 9133*** to urge that no show cause notice was given and in similar situation the respondent was directed to carry out the inspection.

7. A perusal of the impugned order reveals significant discrepancies in the student strength of the petitioner school. From Class Nursery to Class VII, the number of students ranges between 30 to 70 per class. However, from Class IX onwards, there is an abrupt and unexplained surge in enrolment, with the number of students rising manifold to 472, 425, 309, and 307 respectively.

8. During the course of inspection, the actual number of students present was found to be approximately one-tenth of the number reported by the school. At the time of inspection, only 19 teachers were found to be present. The list of teachers annexed as Annexure P-26 to the petition reflects a total strength of 84 teachers.

9. In the present case, no cogent explanation has been furnished by the petitioner for the disproportionate and sudden increase in student strength from Class IX onwards.

10. In order to afford a fair opportunity to the petitioner, this Court, vide order dated 30.03.2026, directed the petitioner to produce salary records of the teaching staff, including proof of salary being credited into their respective bank accounts for the period from March 2025 to August 2025.

11. In response, certain documents have been placed on record. However, the same indicate irregular withdrawals ranging between Rs. 2 to 4 lakhs



during the period March 2025 to August 2025, without any corresponding evidence of salary credits into the bank accounts of the 84 teachers. This raises serious doubts regarding the genuineness of the claim of employment and payment of salaries.

12. The judgments relied upon by the petitioner are clearly distinguishable. In the judgment of *Mount Columbus School (supra)* the principles of natural justice were found to have been violated, whereas in the present case, a show cause notice was duly issued and the petitioner was granted adequate opportunity to respond. Similarly, the judgment of the *Khemo Devi (supra)* is distinguishable on facts, as in that case, there existed documentary evidence substantiating the availability of adequate teaching staff and payment of salaries, which is conspicuously absent in the present matter.

13. Furthermore, the details of only five teachers have been furnished, out of which four individuals do not find mention in the list of 84 teachers annexed with the petition, thereby further undermining the credibility of the petitioner's claims.

14. For the said reasons, I am unable to entertain the petition. The documents filed are taken on record.

15. The present petition is dismissed and the interim order stands vacated.

JASMEET SINGH, J

APRIL 7, 2026/AS

(Corrected and released on 17.04.2026)