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

+ **W.P.(C) 5248/2019**

INDEPENDENT SCHOOLS FEDERATION OF INDIA (REGD.)

AND ANR.

.....Petitioners

Through: Mr. Ravi Prakash Gupta, Adv. (M:
9871467663)

versus

THE UNION OF INDIA AND ORS.

.....Respondents

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

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **04.05.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Independent Schools Federation of India (Regd.) under Article 226 of the Constitution of India, through its National President, Mr. G.P. Gupta. 3. The Petitioner-Society is a registered association of private educational Societies, running unaided private schools.
3. The petition has been filed *inter alia*, assailing the rules contained in Chapter 8 of the new CBSE Affiliation Bye-laws, 2018 upon self-financed unaided private schools affiliated to CBSE.
4. The specific challenge is in respect of Regulation 7.2, 7.5.1, 7.5.2, 7.6 of Chapter 7 of the CBSE Affiliation Bye-laws. Certain other prayers have also been sought in the writ petition. The fundamental challenge is to the fee



mechanism, which was sought to be regulated by the CBSE Affiliation Bye-laws.

5. The plea of the Petitioner-Society is that unaided schools could not be equated with government aided schools.

6. On 27th May, 2019, notice was issued in the present case and an interim order was passed in the following terms:

“In the meanwhile, status quo with regard to the affiliation granted to the existing schools shall continue.”

7. The present petition has been pending since then.

8. On 16th February 2026, the Court noticed that the list of members of the Society was not placed on record and had directed as under:

“[...]

3. The Court notices that the present petition has been filed by a registered Society– Independent Schools Federation of India (Regd.).

4. The said Society is claimed to be an association of private educational Societies, running unaided private schools.

5. However, it is noticed that the list of members of the Society has not been placed on record.

6. In addition, if the Petitioner Society files a writ petition of this nature, the members thereof ought to be willing to state that they support the stand being taken by the Federation and would abide by the decision in this writ petition, since the same would be applicable to all the members as well.

7. Accordingly, let a list of all the members of the



Petitioner Society be filed.

8. The said list of members shall be placed on record, along with some form of communication from the said members stating that they support the stand of the Petitioner and that they would abide by the decision in this writ petition.”

9. Thereafter, the matter has been listed today.

10. Ld. Counsel for the Petitioner submits that the registration of the Petitioner-Society has lapsed and he no longer has any instructions in respect of the list of members *etc.* He, therefore, does not wish to press the present petition.

11. Since the registration has expired, the present petition cannot be continued in this manner.

12. In view of the above position, as also the fact that the registration of the Petitioner-Society has itself lapsed, and there is no compliance with the previous order dated 16th February 2026, the petition is no longer maintainable. The same is dismissed.

13. Interim order dated 27th May, 2019 stands vacated.

14. It is, however, made clear that the Court has not considered the merits of the matter.

15. The present petition is dismissed with all pending applications, if any.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 4, 2026/MR/SM