

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 356/2024
CM(839/2024)
Caveat 86/2024

Sheikh Ul Aalam Model High School.

...Petitioner(s)

Through: Ms. Rifat Ara Butt, Advocate.

Vs.

Union Territory of J&K and Others.

...Respondent(s)

Through: Ms. Maha Majeed, Assisting Counsel.

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER
23.02.2024

1. Ms. Rifat Ara Butt, learned counsel appearing on behalf of the petitioner vehemently argued that the respondents in most contemptuous manner have issued Order dated 12th January, 2024 which is impugned in the present petition whereby, the institution for the Class 10th (Session 2023-2024) have been tagged with Govt. (Girls) Higher Secondary School, Nawara. Moreover, it has been directed not to admit any student from Class 9th/10th/11th/12th onwards till extension in affiliation granted to the petitioners' institution by JKBOSE, however, the eligibility of the students for registration, fee etc. had to be determined by the Registration Section,

2. It is further submitted that the respondents by no stretch of imagination could have issued order mentioned (supra), In the light of the fact that the learned Coordinate Bench of this Court in the identical matters involving similar issue, has passed interim orders, whereby, it has been directed that the operation of the order impugned shall not affect the continuance of education of the students, who have already been enrolled in the School. The learned counsel for the petitioner prays that same order be passed in the instant petition as well.

3. With a view to maintain parity, this Court deems it appropriate to pass same order as has been passed by Coordinate Benches in identical matters.
4. Heard learned counsel for the petitioner at length and perused the material available on record.
5. *Prima facie*, a case for interim relief is made out.
6. Issue notice to the respondents.
7. Ms. Maha Majeed, the learned Assisting Counsel accepts notice on behalf of the respondents. Objections be filed on or before the next date of hearing.
8. List again on 1st April, 2024 along with identical matters, list whereof shall be provided by the learned counsel for the petitioner to the Registry.
9. Meanwhile, subject to objections from the other side and till next date of hearing before the Bench, the impugned Order No. F(Gen-B)KD/24 dated 12th January, 2024 issued by Respondent No. 4-Deputy Secretary General KD Bemina, Srinagar, shall remain stayed and the respondents are directed to release/provide the Registration Return Forms (RRFs) in favour of the petitioners' school. However, the release of RRFs shall remain subject to the outcome of the instant petition.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
23.02.2024
“Hamid”