



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 5174 OF 2026 (EDN-RES)

BETWEEN:

NEW EXCELLENT SCHOOL
SOCIETY REGISTERED UNDER
THE KARNATAKA SOCIETIES
REGISTRATION ACT, 1960,
REG. NO. 643/07-08,
HAVING ITS OFFICE AT NO.90,
HAINES ROAD, BENGALURU-560 084,
SAIT PALYA, ST. THOMAS TOWN POST,
REPRESENTED BY ITS SECRETARY
SMT. WAHEEDA BEGUM
W/O CHAND PASHA
AGED ABOUT 63 YEARS,
R/AT NO.18, DARGA MOHALLA,
RAZAK SAB PALYA,
BAGALUR BENGALURU-562 149

...PETITIONER

(BY SMT. SUMA HIREBIDARI., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF EDUCATION,





VIDHANA SOUDHA, BENGALURU-560 001.

2. THE DIRECTOR,
DEPARTMENT OF PUBLIC INSTRUCTION,
NRUPATHUNGA ROAD, BENGALURU-560 001.
3. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION,
BENGALURU NORTH DISTRICT,
K.G. ROAD, BENGALURU-560 009.
4. THE BLOCK EDUCATION OFFICER,
NORTH RANGE-IV, YELAHANKA.
BENGALURU-560 064.

...RESPONDENTS

(BY SRI.MANJUNATH K. HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE ORDER/SHOW CAUSE NOTICE ISSUED BY THE FOURTH RESPONDENT UNDER DATED C1 AND HIKRUTHA. SHA. MAA-01/2024-25 22.09.2025, DIRECTING THE PETITIONER TO CLOSE THE INSTITUTION TO RUN THE CLASSES FROM 8TH TO 10TH AND ALL CONSEQUENTIAL ACTIONS (ANNEXURE-A).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



ORAL ORDER

The petitioner has filed this writ petition challenging the show-cause notice dated 22.09.2025 issued by respondent No.4, wherein the respondent has called upon the petitioner to show cause why the peititioner-Institution should not be closed on the ground of not taking permission to run the school for 8th, 9th and 10th standards.

2. The petitioner has challenged only a show-cause notice. In view of the proposition of law laid down by the Hon'ble Apex Court in the case of ***Commissioner of Central Excise, Haldia Vs. Krishna Wax Private Limited¹***, the petition filed by the petitioner is not maintainable.

3. The petitioner, without submitting a reply to the show-cause notice, approached this Court by filing this writ petition. Hence, the writ petition filed by the petitioner is premature.

¹ 2019 SCC OnLine SC 1470



4. Therefore, the writ petition is ***dismissed*** reserving a liberty to the petitioner to submit a reply to the impugned show-cause notice vide Annexure-A within 15 days from today.

5. After the receipt of the reply, respondent No.4 is directed to consider the reply, provide an opportunity of personal hearing to the petitioner, and pass an appropriate order in accordance with law, within 30 days from the date of receipt of the reply to the show-cause notice.

6. The respondents are directed not to take any coercive action against the petitioner till the passing of the order.

7. In view of dismissal of the petition, pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**