

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 4350/2026

Neerja Modi School

-----Petitioner

Versus

Central Board Of Secondary Education

-----Respondent

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For Petitioner(s) : Mr. A.K. Sharma, Senior Advocate  
assisted by  
Mr. Rachit Sharma & Mr. Madhav  
Dadhich

For Respondent(s) : Mr. M.S. Raghav with Mr. Vishwas  
Saini, Mr. Chetan Khandal & Mr.  
Mananjay Singh Rathore for CBSC

Mr. S.S. Hora with Ms. Amulya Jemini  
for parents

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**HON'BLE MR. JUSTICE GANESH RAM MEENA**

**Order**

**18/03/2026**

1. The instant writ petition has been filed by the petitioner with a challenge to the order dated 23.02.2026 passed by the respondent No.2, whereby, the respondent-Central Board of Secondary Education (for short "the CBSE") alleging violation of statutory provisions of affiliation bye-laws of the Board governing the affiliation conditions against the petitioner-institution ordered that (a) The affiliation of the school is restored to secondary level only and the students registered in class IX<sup>th</sup> shall not be shifted to other schools; (b) The affiliation of school for Senior Secondary level i.e. class 11<sup>th</sup> and 12<sup>th</sup> shall remain withdrawn for a period of two years and the school can apply for restoration of affiliation to senior secondary level only after 02 academic years, (2026-27 &

2027-28) w.e.f. 2028-2029 by applying through online SARAS portal; (c) The present students of class XIth who shall move to class XIIth w.e.f. 01.04.2026 will not be shifted and continue from the same school to appear for the Board examination 2027 so that no hardship is caused to these students in the interest of their future; (d) The school shall not take any new admission or promote any students in class XIth w.e.f. 01.04.2026 onwards till the affiliation of the school is restored upto Senior Secondary level. (e) As regards classes 1<sup>st</sup> to 8<sup>th</sup>, the Director, Secondary Education, Govt. of Rajasthan may take a suitable decision on the continuation of Recognition of school as per their state norms.

2. Mr. A.K. Sharma, learned Senior Counsel assisted by Mr. Rachit Sharma, Advocate appearing for the petitioner submits that the petitioner-institution is running smoothly since 2001 and at present there are as many as 5500 students in the Academic Year 2025-26 and the respondent-CBSE granted affiliation which was extended upto 31.03.2029. He further submits that the school is being regulated after fulfilling the requirements as per norms of the CBSE and the affiliation has been granted to the petitioner-School after due inspection and the same has been extended in the year 2024 upto 31.03.2029 after considering the credibility of the petitioner-institution.

Senior Counsel also submits that an unfortunate and tragic incident occurred on 01.11.2025 and looking to the allegations qua one of the teacher, the petitioner/institution has already terminated the services of the said teacher. He further submits that vide letter dated 03.11.2025, the CBSE has pointed out certain deficiencies required to be rectified to avoid recurrence

of such institution. He further submits that the petitioner/School has proceeded to rectify the deficiencies and has almost cured the maximum deficiencies and whatever deficiencies remains, will be cured within a period of one month from today as the petitioner-institution is a reputed school with 5500 students and has a well goodwill in the society.

Senior Counsel also submits that earlier the respondent-CBSE vide order dated 30.12.2025 has withdrawn the affiliation of the petitioner-institution upto the Senior Secondary Level.

Senior Counsel also submits that being aggrieved by the said order dated 30.12.2025, the petitioner-School preferred a writ petition bearing S.B. Civil Writ Petition No.597/2026. The Co-ordinate Bench of this Court vide its order dated 30.01.2026, after placing reliance upon the judgment referred by the respondent in case of ***Shiv Jyoti Convent Senior Secondary School Vs. Central Board of Secondary Education (S.B. Civil Writ Petition No.17060/2024)*** decided on ***21.04.2025***, directed the petitioner-School to file a representation as per Clause 13.10 of the Bye-laws of 2018 before the Board within a period of one week which is to be decided by the respondents within a period of three weeks thereafter and also for the meantime, the Court also restrained the respondent-Board from transferring any students of the petitioner's-School to any other institution.

After filing of the representation, the respondent-Board vide impugned order dated 23.02.2026, modified the earlier order of withdrawal of affiliation to the extent that the affiliation upto

Secondary Level is restored however, maintained the withdrawal of affiliation for Senior Secondary Level.

Senior Counsel appearing for the petitioner-School further submits that looking to the smooth running of the petitioner-School with good credibility for such a long period, the penalty imposed upon the petitioner-School in the facts and circumstances is too harsh. He also submits that the respondents themselves after considering the representation and credentials shown by the petitioner-School has restored the affiliation upto the Secondary Level, which shows that there are no such deficiency in the petitioner-school which could lead withdrawal of the affiliation. Senior Counsel also submits that there may be certain deficiencies which could be cured and the petitioner-School undertakes to cure such deficiencies as and when pointed out by the respondents and also undertakes to cure the deficiencies which have been pointed out by the respondent-Board, within a period of one month from today.

Senior Counsel further submits that the impugned order passed by the respondent-Board, causes injustice to the large number of students as there is uncertainty amongst them though, there is no fault of such students. He also submits that the penalties have been codified in Clause 12.1 of the affiliation Bye-laws of 2018. The penalties incorporated in 12.1 of the said Bye-laws does not provide for withdrawal of the affiliation in part. It is also submitted that withdrawal of the affiliation of Senior Secondary Level for a period of two years, would cause great hardship to the students.

3. Mr. M.S. Raghav, learned counsel appearing for the respondent-Board with regard to justify the order of withdrawal of the affiliation submits that there is violation of statutory provisions of the affiliation Bye-laws of the Board governing the affiliation conditions. He also submits that prior to passing of the order of withdrawal of affiliation, a show-cause notice was issued to the petitioner-School.

He also submits that the students of the petitioner-School would be transferred to nearby institutions which are running as per norms prescribed by the Board.

4 Mr. S.S. Hora, learned counsel appearing as intervener for the parents of the student who died because of mishappening in the institution states that when there is little bit of violation of the provisions of Bye-laws of affiliation than the institution has to face the penalties as provided under the code including de-affiliation. He further submits that there cannot be laxity approach in such like matters. He also submits that the petitioner-School is not running as per settled guidelines.

5. Considered the submissions made by the Senior Counsel appearing for the petitioner-School and other counsels appearing for the countering respondents.

6. Let notice be issued to the respondent No.4 only as the other respondents are represented by their counsel.

7 Taking into consideration overall facts and circumstance of the case and more particularly the fact that the petitioner-School has undertaken to cure the deficiencies pointed out by the respondent-Board within a period of one month and so also the interest of the large number of students who are studying in the

petitioner-School, the Court deems just and proper to stay the effect and operation of the impugned order dated 23.02.2026 passed by the Central Board of Secondary Education subject to depositing Rs.5,00,000/- by the petitioner-School with the respondent-Central Board of Secondary Education within a period of ten days from today.

The amount so deposited by the petitioner-School shall be kept in the FDR by the Central Board of Secondary Education which would remain subject to final outcome of this writ petition.

In the meantime, the petitioner-School shall also cure all the deficiencies as pointed out by the respondent-Board during its inquiry and visit made on 03.11.2025 as mentioned at page 99 of this writ petition (Annexure-5) within a period of one month from today.

The respondent-Central Board of Secondary Education shall make inspection of the petitioner-School after 45 days from today and in case any deficiency, so pointed by the respondent-Board is not cured, respondent-Board shall be at liberty to move an appropriate application before this Court.

By the next date of hearing, the respondent-CBSE shall also submit a list of all those institutions/schools where they intend to transfer the students of the petitioner-school in case the order of affiliation is maintained. The Board shall also submit the verification report as regards of such institutions after due physical verification on visit that such institutions where they intend to transfer the students of the petitioner-school, do not suffer any deficiencies in view of the norms prescribed by the Board.



The verification report as ordered above shall be submitted with an affidavit of the Secretary of the Central Board of Secondary Education.

(GANESH RAM MEENA),J

Ashish Kumar/188