

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition (PIL) No. 11613/2025

Suo Motu

-----Petitioner

Versus

Union Of India & Ors.

-----Respondents

Connected With

1. D.B. Civil Writ Petition No. 8990/2013
2. D.B. Civil Writ Petition No. 13769/2014
3. D.B. Civil Writ Petition No. 16406/2022
4. D.B. Civil Writ Petition No. 8679/2025
5. D.B. Civil Writ Petition No. 11527/2025

For Petitioner(s)	:	By Court Order Mr. Swadeep Singh Hora assisted by Mr. Abhimanyu Singh Mr. Tanmay Dhand Ms. Gauri Jasana for Mr. Prateek Kasliwal Mr. Abhishek Dadhich for Mr. Pradeep Sharma
For Respondent(s)	:	Ms. Dhriti Laddha for Mr. Rajendra Prasad, AG Mr. S.M. Sharma with Mr. Vishwas Fatehpuria for Mr. Manoj Sharma, AAG Ms. Niti Jain Bhandari with Ms. Anima Chaturvedi Ms. Anushka Khandelwal for Mr. Bharat Vyas, ASG Mr. Rahul with Ms. Khyati Joshi for Mr. Rajneesh Gupta Mr. Anirudh Singh for Mr. Krishna Verma Mr. Vagish Kumar Singh with Ms. Sakshi Agarwal

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

20/01/2026

Learned Amicus Curiae has submitted relevant extract of a daily newspaper dated 14.01.2026 before us which reflects that in the Government Upper Primary School, Bhainskhera, District

Bundi, roof of the school has fallen down and fortunately, about thirty students present in the school, had left that place only a few minutes ago and were sitting in the open field within the school compound.

The present public interest litigation arises on account of falling of a school building in District Jhalawar in the Month of July, 2025 resulting into death of seven students and injury to several others and it appears that despite repeated assurances on behalf of the State authorities that they are leaving no stone unturned to ensure that the students study in safe and conducive environment, the ground realities are otherwise. It may also be pertinent to note here that despite extending an assurance that the interim order passed by this Court vide order dated 22.08.2025 restraining the State authorities from using dilapidated school buildings/rooms, is being complied with in letter and spirit, the same is being flouted with impunity.

We further notice that affidavit of the respondent No.3, as directed by this Court vide order dated 06.11.2025, has not been filed till date despite lapse of almost two and a half months. Although, the respondents have filed an application dated 01.12.2025 seeking extension of a month to file the requisite affidavit but, despite lapse of more than a month and twenty days even thereafter, neither the same has been filed nor, any explanation is offered for its non-filing.

In view thereof, we direct presence of the respondent No.3 on the next date alongwith requisite affidavit. The Affidavit shall also explain the circumstances under which roof of the school has collapsed as reported in daily newspaper dated 14.01.2026 as also

the reason as to why it was being used despite restraint order of this Court dated 22.08.2025. The Director, Secondary Education as also the Director, Elementary Education shall also remain present on the next date.

List these matters on 02.02.2026 as prayed by learned State-counsel.

(ASHOK KUMAR JAIN),J

(MAHENDAR KUMAR GOYAL),J

Manish/s-1-6