



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1476 of 2026

Committee Of Management, Chaudhry T.D.S.
Inter College

.....Petitioner(s)

Versus

State Of Up And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Sanjay Kumar Dwivedi
Counsel for Respondent(s) : C.S.C.

Court No. - 37

HON'BLE VIVEK SARAN, J.

1. Pursuant to the order dated 11.02.2026 in the case, learned Standing Counsel has filed personal affidavit of Sri Bhagwati Singh, presently posted as Secretary, Madhyamik Shiksha Parisha, U.P. Prayagraj, the same is taken on record.

2. On the strength of the said affidavit, learned Standing Counsel submits that in the meeting of Parishadiya Kendra Nirdharan Samiti held through virtual mode i.e. 'google meet' platform on 24.12.2025, representation/objection of the petitioner was considered and has been rejected. The reason of rejection are contained in the extract of the said meeting at Item No.222. He points out that on recommendation of the Janpadiya Samiti which itself were based on the recommendations of Sub Divisional Magistrate, the examination centre of the petitioner was not found suitable and taking into consideration, the said Committee in its meeting had resolved that now after allotment of all the centres, new examination centre is not possible as it would be an additional examination centre for which the local grouping of student ratio is not available.

3. *Per contra*, learned counsel for the petitioner submits that the institute being in the name of Chaudhary TDS Inter College, Chauhiri, Mathura (hereinafter referred to as the College) run by the petitioner-Committee was regularly continuing as an Examination Center from the year 2010 till 2025 without there being any complaint from any corners. He submits that after issuance of the Government Order dated 01.11.2025 framed by the respondent no.1 for allotting Examination Centers for the U.P. High School and Intermediate Examinations during the year 2026, the respondents without assigning any reasons have by order dated 12.12.2025 declined to make the institute run by the petitioner as an Examination Center. Although in the proposed center allotment list which was published on

30.11.2025, the name of the institute was there at serial no.95 with proposed code 1253. He further submits that the college is having total strength of 235 students out of which 116 are girls and 119 are boys and all these students are facing hardship. He further submits that the representation filed by the petitioner has been rejected without entering into the objections raised therein on its merits.

4. Having heard learned counsel for the parties and perused the affidavit, this Court finds that the Government Order dated 01.11.2025 has provided for a redressal forum to the aggrieved person from an order of the Pariksha Kendra Nirdharan Samiti before the Pradeshya Kendra Nirdharan Samiti on an online mode for which a specific time-line has also been provided.

5. In the case of petitioner, the Pariksha Kendra Nirdharan Samiti has found the College to be unsuitable in its meeting held on 12.12.2025 by recording that the College has not been approved by the Sub-Divisional Magistrate. Copy of the extract of meetings held on 12.12.2025 by the Kendra Nirdharan Samiti has been brought on record as Annexure No.1 in the personal affidavit. Perusal of the same discloses that following are its members:

- 1- जिलाधिकारी महोदय, मथुरा
- 2-अपर जिलाधिकारी (प्रशासन), मथुरा।
- 3-जिला विद्यालय निरीक्षक, मथुरा।
- 4- उप जिलाधिकारी, मथुरा।
- 5-उप जिलाधिकारी, महावन।
- 6-उप जिलाधिकारी, मांट।
- 7-उप जिलाधिकारी, गोवर्धन ।
- 8-उप जिलाधिकारी, छाना।
- 9-जिला बेसिक शिक्षा अधिकारी, मथुरा।
- 10-प्रधानाचार्य, राजकीय भारतीय इण्टर कालेज अड़ीग।
- 11-प्रधानाचार्य, श्री कृष्ण इण्टर कालेज, गोकुल।

6. Thus out of 11 members, 5 are the SDM of different area. It is further found that the reason for disapproving before rejecting the making of the college of the petitioner as an Examination Centre is to be found at Item No.7 of the list for unaided colleges. The same is as follows:

7	चौ० टी०डी०एस० इण्टर कालेज चौहरी मांट, मथुरा।	वित्त विहीन	उप जिलाधिकारी द्वारा विद्यालय को परीक्षा केन्द्र न बनाये जाने की संस्तुति की गयी।
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7. Thus it is evident that considering the report of the Sub Divisional Magistrate (of the unknown area) the Committee has taken a decision. It is also to be noted that in the personal affidavit, the recommendations of the said S.D.M. has not been brought on record so as to know the reason behind not recommending the College of the petitioner. The petitioner has made his representation/objection before the Parishadiya Kendra Nirdharan Samiti, the proceedings of which dated 24.12.2025 have been brought on record as Annexure-2 to the personal affidavit which this Court finds has been conducted through the virtual mode on the google meet platform with the members. In the extract the case of the petitioner was considered at Item No.222 and the same has been rejected by recording the following reason:

"जनपदीय केन्द्र निर्धारण समिति ने प्रदर्शित किया है की स्थानीय भौगोलिक परिस्थितियों, छात्र संख्या, धारण क्षमता और केंद्रों की वास्तविक आवश्यकता के आधार पर ही अंतिम आवंटन सुनिश्चित किया है। वर्तमान में जनपदीय समिति द्वारा बनाए गए नए केंद्रों को समाप्त किए बिना अतिरिक्त नए केंद्र बनाने हेतु स्थानीय ग्रुपिंग में वांछित छात्र संख्या उपलब्ध नहीं है। तदानुसार आपका प्रत्यावेदन जनपदीय केन्द्र निर्धारण समिति के निर्णय के आलोक में अस्वीकार करते हुए निस्तारित किया जाता है।"

8. Perusal of the aforesaid reason given by the Parishadiya Kendra Nirdharan Samiti for rejecting the representation/objection of the petitioner recites that Janpadiya Kendra Nirdharan Samiti while taking into account the local geographical situation, number of students, bearing capacity and the actual need has passed its order. Apart from the same, it also records that unless one of the already made centers is abolished a fresh centre cannot be made due to the local grouping wherein required number of students are unavailable. On the face of it, it is evident on record that the Kendra Nirdharan Samiti has not recorded any such reason as averred in the order of the Parishadiya Kendra Nirdharan Samiti where the sole reason was non-approval of S.D.M.

9. Apart from this, even the grounds raised by the petitioner in his representation/objection wherein one of the reason was about 178 girls students studying in the college, for which a self-center was appropriate has not been considered at all.

10. Thus, *prima facie* this Court is of the considered opinion that the purpose of the redressal forum in the form of Parishadiya Kendra Nirdharan Samiti has not been achieved and the order suffers from total non-application of mind.

11. It is settled that any authority or a forum created by the State Government has to act fairly and is expected to perform its duties and any order so passed has to address upon the grievance raised before it. Both the Janpadiya Kendra Nirdharan Samiti and the Parishadiya Kendra Nirdharan Samiti have based their findings primarily on some recommendations of the S.D.M. which have not been brought on record.

12. Ironically, this Court finds that in many other representations made before the Parishadiya Kendra Nirdharan Samiti, similar orders have been passed.

13. Since the examinations have already commenced and also that the policy dated 01.11.2025 is limited in application to the examination of the U.P. High School and Intermediate for the year 2026 alone. Therefore, this Court deemed it appropriate to direct the respondent no.1 to ensure that in future the Samitis or any other forum which may be constituted passes a reasoned and speaking order considering the grievance raised in representation before it.

14. Learned Standing Counsel for the State is directed to file a detailed counter affidavit in the matter within a period of three weeks bringing on record the report of the Sub-Divisional Magistrate concerned. Rejoinder affidavit, if any, shall be filed within one week thereafter.

15. List after four weeks.

February 19, 2026
Deepika

(Vivek Saran,J.)