

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5628/2026

[Arising out of impugned final judgment and order dated 04-11-2025 in WA No. 3113/2025 passed by the High Court of Madhya Pradesh at Indore]

JITENDRA KUMAR YADAV

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH & ORS.

Respondent(s)

[TO BE TAKEN UP AT 10:30 AM.]

IA No. 38208/2026 - CONDONATION OF DELAY IN FILING

IA No. 38210/2026 - EXEMPTION FROM FILING O.T.

IA No. 39387/2026 - INTERVENTION/IMPLEADMENT

IA No. 38206/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 13-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYANFor Petitioner(s) :Mr. Nipun Saxena, Adv.
Ms. Astha Sharma, AOR
Mr. Shreyas Awasthi, Adv.
Mr. Himanshu Chakravarty, Adv.
Ms. Riddhi Jain, Adv.
Ms. Aadya Pandey, Adv.
Ms. Deepali Dabas, Adv.
Ms. Monal Prasad, Adv.
Mr. Anirudh Gotety, Adv.For Respondent(s) :Mr. Abhay Singh, AOR
Mr. Tarang Chelawat, Adv.
Mrs. Ankita Agarwal, Adv.
Mr. Sindhu Nayak, Adv.
Mr. Subhanshu Singhai, Adv.
Ms. Pinki Damor, Adv.
Mr. Jishnu Adhikari, Adv.Mr. Rajan Kumar Chourasia, Adv.
Mr. Pashupati Nath Razdan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the petitioner as well as respondent nos.1, 3 and 4/State and learned counsel for respondent no.5/School.

On perusal of office report, it is noted that respondent no.6 has been served on 09.02.2026.

During the course of submissions, it was brought to our notice that 10th standard examination to be conducted by the Council for the Indian School Certificate Examinations (CISCE) is to commence from 17.02.2026 (next Tuesday).

The petitioner's son has already been registered through respondent no.5 herein/School with the CISCE, New Delhi. A copy of the registration is produced at Page 163 and 163A through the respondent no.5/School. Although, there is a controversy with regard to correctness or otherwise of the rustication of the son of the petitioner herein, the fact remains that there is already registration with the CISCE to take the examination for CISCE, 2026 which is to commence on 17.02.2026.

Learned counsel for the petitioner submitted that if this Court does not permit his son to take the examination through respondent no.5/School, then he would lose an academic year. It was submitted that the rustication of the petitioner's son from the school

was a disproportionate punishment and instead of taking reformatory steps, the school simply dis-associated the petitioner's son from the School; that he has been pursuing his studies privately at home with the help of tutor(s). Therefore, pending further consideration of this petition, permission may be granted to the petitioner's son to appear in the examination which is to commence from 17.02.2026.

Learned counsel for respondent no.5/school vehemently objected to any permission being granted to the petitioner's son to take the examination as he cannot be pardoned for what he has committed and hence the school was constrained to rusticate him; that any order permitting him to take the examination through respondent no.5/School would demoralise the school authorities.

We have considered the arguments advanced at the Bar. We are concerned with the petitioner's son who is a minor having an opportunity to appear in the examination to be conducted from 17.02.2026 onwards.

In the circumstances, we direct the CISCE to permit the petitioner's son to take the examination by issuing Admit Card/Hall ticket

Having regard to the nature of the controversy, respondent no.5 is at liberty to permit the petitioner's son to appear and write the examination in a separate room and not

with other students.

Further, respondent no.5/School to conduct an internal assessment for Physical Education and Socially Useful Productive Work (SUPW) at the school and submit the assessment marks to respondent no.6/CISCE.

It is needless to observe that in view of this order, respondent nos.5 and 6 shall ensure that petitioner's son is able to appear in the ensuing examination.

The aforesaid order is subject to the result of this special leave petition.

A copy of this order shall be submitted by learned counsel for the petitioner before the Chief Executive Officer of respondent no 6 today itself.

Learned counsel for respondent no.5 shall communicate this order to respondent no. 5 today itself.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)