



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

D.B. Civil Writ Petition No. 10623/2020

Arvind Sharma

----Petitioner

Versus

1. North-West Railway, Through Senior Personnel Officer (Welfare) And Secy. To Pcpo For Gm (P) Nwr, Head Quarter Office, Jaipur.
2. Senior Personnel Officer, Welfare For Principal Chief Personnel Officer, Personnel Branch, Chennai-600003.
3. Principal, Railway Senior Secondary School, Mount Road, Abu Road- 307026, Distt. Sirohi, Rajasthan.
4. The General Manager, North Western Railway, Jaipur.
5. The Divisional Manager (Estb.), North Western Railway, Divisional Office - Ajmer.

----Respondents

For Petitioner(s)	:	Mr. R.B. Mathur, Senior Counsel assisted by Mr. Amit Malani
For Respondent(s)	:	Mr. Shailesh Prakash Sharma

**HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI
HON'BLE MR. JUSTICE SUDESH BANSAL**

Order

09/02/2022

In this public interest petition the petitioner has opposed the decision of the railway authorities to close down the railway senior secondary school at Abu Road. The case of the petitioner is that this is a tribal belt and the entire region has only two public schools, one government school and another railway school. The present school is operating since the year 1862. It would be tragic



to shut down the school which is catering to the students coming from lower strata families and have been taking education at the said centre since more than a century. The photographs are annexed along with the petition which shows that the facilities created by the railway authorities are in good condition. It was pointed out that as recently as five years back sizable expenditure was made in repairing these facilities.

On the other hand case of the railway authorities is that over a period of time number of students in this school has been dwindled. A chart has been produced along with an additional affidavit indicating total number of students in past ten academic sessions to demonstrate this phenomena. According to the railway authorities on account of heavy burden on exchequer due to poor student admissions the authority had taken a decision to close down the school.

It is rather unfortunate that the school which has been in existence since over a century, may have to be closed down. It does disturb us that in an area where educational facilities have still not fully developed to the desired extent, one public school is under closure. However such sentimental issues cannot govern our judicial discretion. The railway authority which has to run the school is in best position to decide its future. Unless the decision is shown to be malafide or opposed to any of the legal principles, the Court would not substitute its wisdom or desire for that of the authority.

With a heavy heart we dismiss this petition. Before closing it is provided that the decision to close the school shall not be implemented till the end of the current academic term. Further the school administration shall make all necessary efforts and



arrangements to ensure that the students who are admitted in school in 11th standard secure admissions in other school in 12th standard if they pass out from the 11th standard. Interim relief stands vacated. Pending applications stand disposed of.

(SUDESH BANSAL),J

(AKIL KURESHI),CJ

KAMLESH KUMAR /s-99



सत्यमेव जयते