

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
204

COCP No. 2577 of 2013

Date of Decision: April 24, 2015

IKM Public Sr. Secondary School and others

...Petitioners

Versus

Dr. Anshaj Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. P.R.Yadav, Advocate,
for the petitioners.

Mr. Sandeep Goyat, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioners that the order passed by this Court on 15.12.2011 (Annexure P-1) stands violated by the respondents and for this, he has placed reliance upon the communications dated 24.09.2013 (Annexure P-4), 25.09.2013 (Annexure P-5) and 24.09.2013 (Annexure P-10).

Reply to the contempt petition has been filed by the respondents and the reason for passing of such an order was explained. In the reply filed, it has been stated by them that there was a predicament, which they were facing in the light of the situation, as has existed, with reference to the order passed by this

Court in CWP No. 16627 of 2011 titled as **Janta Senior Secondary School vs. District Education Officer** and CWP No. 11726 of 2011 titled as **Sant Paul Convent Public High School Hathin vs. State of Haryana and others**, where the Court had mentioned that the students will be treated as private students. As per the order passed by this Court, an application for clarification was filed in the Court, which application was decided on 12.07.2013, wherein it was clarified that the matter of permanent recognition may be decided by the State Government and pass an appropriate order within a period of six months and communicate the same to the schools.

Counsel for the parties agree that that the claim of the petitioners for permanent recognition has been rejected by the Government on the ground that they do not fulfil the norms laid down for the said purpose. The petitioners, in any case, has a remedy against the said order.

Counsel for the petitioners has also informed the Court that because of the action on the part of the respondents by not issuing the Roll Numbers to the students of the schools, the Schools had to approach the Court and in pursuance to the interim order passed by this Court, the students had appeared in the examination and ultimately the writ petitions were allowed with a direction to the Board to declare their result.

In view of the above factual position and the subsequent developments, which have taken place, the contempt, as is alleged in the present petition, does not survive. The matter, therefore, has not been decided on merits and is disposed of as such.

The amount of ₹ 1 lac, as deposited by the petitioners in pursuance to the order dated 27.09.2013 with the Registrar of this Court, shall be refunded to the petitioners on moving an application by the counsel for the petitioners to the said effect.

April 24, 2015
pj

**(AUGUSTINE GEORGE MASI H)
JUDGE**