

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.14576 of 2015
Decided on : 21.12.2015**

Kunal

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Manu K.Bhandari, Advocate, for the petitioner.

Mr.Aman Bahri, Addl. A.G., Punjab.

G.S. Sandhawalia , J. (Oral)

Petitioner, who is a minor, seeks directions to be admitted in a school, as per his entitlement under the Right of Children to Free and Compulsory Education Act, 2009. Representations dated 29.12.2014, 28.05.2015 and 24.06.2015, made to respondent No.2, are stated to be pending.

The defence of the respondents, in their written statement, is that the Government Primary School is situated within 1 km radius from the residence of the petitioner. The respondents are ready and duty bound to provide education to any child in neighbouring school, as per norms.

Counsel for the respondents has pointed out that in similar circumstances, in CWP-21754-2013 titled *Ram Chander & others Vs. State of Punjab & others*, decided on 07.09.2015, on account of Rule 7(6)(7) of the Punjab Right of Children to Free and

Compulsory Education Rules, 2011, the Committee is to redress the issue. The said rule reads as under:

“7. Admission of children belonging to weaker section and disadvantaged group :

xxx

xxx

xxx

(6) If any person feels aggrieved from the procedure of admission referred to above, he will be at liberty to make representation in this regard to the committee to be constituted by the State Government in every district.

(7) If any person feels aggrieved from the decision of the committee referred to in sub-rule(6), he may file an appeal to the State Government within a period of one month from the date of decision of the committee.”

In such circumstances, a direction is issued to respondent No.3 to ensure that the matter is placed before the competent Committee, which shall decide the representations of the petitioner, keeping in view the statutory provisions. The said exercise be carried out within 2 months from the receipt of a certified copy of this order.

With the above said directions, the present writ petition stands disposed of.

DECEMBER 21, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE