

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

**CWP No.2476 of 2015
Date of Decision:21.04.2015**

Smt. Geeta and another

. . . . Petitioners

Vs.

State of Haryana and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.J.S. Rozera, Advocate,
for the petitioners.

Mr.D.K. Mittal, DAG, Haryana.

Mr.Amar Vivek, Advocate,
for respondent No.2.

Mr.Brinder N.S. Sharma, Advocate,
for respondents No.5 & 6.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners belong to economically weaker section of the society, sought a mandamus against respondents No.5 and 6 to change their session from evening to morning and to impart education as per the syllabus of the CBSE as being taught to other students in the morning session.

At the time of issuing notice on 12.2.2015, the following order was passed by this Court: -

*“Notice of motion to 1st respondent only
for 20.2.2015.*

*At the asking of the Court, Mr.Keshav
Gupta, Assistant Advocate General,*

Haryana, takes notice on behalf of the respondent-State. He shall take appropriate instructions.

Petitioner shall supply copy of the paper book to the counsel for the respondent-State.

The State shall elicit if any action has been taken pursuant to the communication sent to the DEO on 30.12.2014 under Annexure P-12 against the 5th respondent-school which is said to be in breach.”

On 6.4.2015, the following order was passed: -

“The dispute in this case is “whether the petitioners are entitled for admission in the morning session of the DPS School, while belonging to economically weaker section”?

Learned counsel for respondents No.5 & 6/school has submitted that they have no objection if the petitioners apply for admission.

The petitioners may fill up their forms for admission in the morning session.

Adjourned to 21.4.2015.”

Today, respondents No.1 and 3 have filed a short reply of Deputy Director, O/o Director Secondary Education, Haryana to contend that a notice dated 31.3.2015 has already been given to respondents No.5 & 6 to give admission to the extent of 10% seats reserved for the economically weaker sections in the morning session.

Learned counsel for respondents No.5 & 6 has suffered a statement that the admission to the petitioners in the morning session has already been given.

In view thereof, the present petition has become infructuous.

Dismissed as infructuous.

21.04.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**