

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

CWP-947-2015

Date of decision: 03.06.2015

Naveen Shiksha Samiti

... Petitioner

Vs.

State of Haryana and anr.

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Pankaj Maini, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner, by way of instant petition under Articles 226/227 of Constitution of India, seeks issuance of any writ, order or direction especially in the nature of certiorari to set aside the letter dated 08.01.2015 (Annexure P-3).

Notice of motion was issued.

Short reply by way of affidavit dated 03.06.2015 filed in the Court today on behalf of both the respondents, is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for the State, on instructions from Mr. Virender Singh, Superintendent, Office of Director Higher Education, Panchkula and while referring to the averments taken in the reply filed today, submits that since the petitioner has complied with the objections raised, his first prayer has been rendered infructuous. Further, petitioner was seeking a direction that his case should be considered under the old policy. That is what has been done by the respondent-authorities, rendering his second prayer also as infructuous. Qua third prayer made by the petitioner for conducting the inspection of its

institution, learned counsel for the State submits that inspection has also been done on 07.04.2015 and thereafter, the recommendation has been made in favour of the petitioner to the competent authority i.e. respondent No.1 for issuing the requisite No Objection Certificate, which is also likely to be issued very shortly. He prays for disposal of the present petition, as having been rendered infructuous.

Faced with the above, learned counsel for the petitioner fairly states that let the present petition be disposed of in view of the statement made by learned counsel for the State but respondent No.1 may be directed to ensure early issuance of No Objection Certificate so as to enable the petitioner to proceed further with the admission process.

In view of the above respective stands taken by learned counsel for the parties, present petition is disposed of, with a direction to the Principal Secretary-cum-Financial Commissioner to Government of Haryana, Department of Education to ensure early issuance of the No Objection Certificate in favour of the petitioner, of course, after verifying the eligibility of the petitioner, taking appropriate action, strictly in accordance with law.

Let the needful be done at an early date and in any case, within a period of 10 days.

Disposed of, accordingly.

A copy of this order, under the signatures of Special Secretary attached to this Bench, be supplied to learned counsel for the State for onward transmission to the authorities concerned, for compliance thereof.

[RAMESHWAR SINGH MALIK]
JUDGE

03.06.2015
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