

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 232 of 2015

Date of Decision: 10.02.2015

Ram Avtar Saini

..Appellant

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH.

Present : Mr. Dharmender Singh Rawat, Advocate for the appellant.

S.J.VAZIFDAR A.C.J. (Oral)

Learned counsel appearing on behalf of the appellant states that the impugned order contains a technical error, albeit on account of a concession on the question of law, made by the appellant's counsel. There is no objection to the order of remand and indeed there cannot be any. The learned single Judge has rightly held that the matter would have to be heard afresh on account of the District Education Officer (D.E.O.) having passed the order without affording the respondent-management an opportunity of being heard.

2. The only question raised before us is that the Director to whom the matter has been remanded does not have the jurisdiction to hear the appeal. According to the appellant, only the D.E.O. has the jurisdiction to hear the appeal.

3. In view of the same, the respondents in the first instance, ought to make an application before the learned Single Judge for a review of the order on the ground that the concession was wrongly made.

Disposed of.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

10.02.2015

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