

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

103/204

**CM-11220-CWP-2016 in/and
CWP-15569-2014**

Decided on : 14.09.2016

Gurpreet Singh

... Petitioner

Versus

Rehabilitation Council of India and others

.. Respondents

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

Present : Mr.S.K.Verma, Advocate
for the petitioner.
Mr.B.S.Kanwar, Advocate
for respondent No.1.
Mr.Satish Kaushik, Advocate for
Mr.Babbar Bhan, Advocate
for the applicant-respondent No.2.
Mr.Naveen S.Bhardwaj, Advocate
for respondent No.3.
Mr.R.K.Sheoran, Addl.AG, Haryana.

G.S.Sandhawalia, J. (Oral)

CM-11220-CWP-2016

Application for placing on record the affidavit on behalf of
respondent No.2 is allowed and affidavit is taken on record.

Application stands disposed of.

CWP-15569-2014

Petitioner sought issuance of Roll Number enabling him to
appear in the 1st Year D.Ed. Spl. Edu (MR) Examination scheduled to
be held from 25.08.2014. The second prayer is for direction to look
into the illegalities being committed by respondent No.2 regarding
taking huge bribe from innocent students by showing them absent

intentionally.

Vide interim order dated 06.08.2014, permission had been granted to the petitioner to take the examination as to be held on 25.08.2014. Thereafter, it was also directed for the declaration of his result on 29.10.2014.

As per affidavit filed today, the petitioner had not taken admission in the second year. The said fact is not disputed by the counsel for the petitioner. So, the first prayer to the extent of release of Roll Number, has become infructuous since the petitioner had failed to continue in the said course.

The counsel for the petitioner has however, placed reliance upon a representation dated 08.07.2014 (Annexure P/4) which has been filed with the affiliating body-respondent No.1. It is not disputed that an inquiry was conducted by the City Magistrate, Bhiwani and adverse remarks were recorded against respondent No.2 institute, as per Annexure P/6. The respondent-institute has objected to the said finding on the ground the City Magistrate had no authority to look into the allegations as it was not a affiliating body and it would have no jurisdiction.

However, a perusal of letter dated 17.07.20914 (Annexure R/2/2) issued by respondent No.2 itself would also go on to show that respondent institute has also reduced the fine to Rs.30/- per day which was found being levied at the rate of Rs.100/- by the City Magistrate.

Prima facie, it would go on to show that all is not well with the respondent No.2 institute and therefore, the grouse of the petitioner that the matter needs to be looked into, is justified. Accordingly, present petition is disposed of with direction to respondent No.1 to look into the allegations which have been made as per Annexure P/4 and also what has been alleged in the writ petition.

It would be open to the said respondent to take appropriate action after affording proper opportunity, if any required against the respondent institute, if allegations are well founded.

Necessary exercise be completed within a period of three months from the date of receipt of the certified copy of the order.

**[G.S.Sandhawalia]
Judge**

14.09.2016
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No