

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

COCF No.1217 of 2016

Date of decision : 13.11.2017

Bharat Bhatia and others

.....Petitioners

Versus

Mrs. Neena Rai Singh and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Abhay Gupta, Advocate for the petitioners.

Mr. Ashish Chopra, Advocate with
Ms. Gurpreet Randhawa, Advocate for the respondents.

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DAYA CHAUDHARY, J. (Oral)

Learned counsel for the petitioners has filed rejoinder on behalf of petitioner No.1 to the written statement filed by respondents No.1 to 4 in the Court today and the same is taken on record. Copy thereof has already been supplied to learned counsel for the respondents.

The petitioners have filed the present contempt petition for non-compliance of order dated 19.09.2015 passed in CWP No.15409 of 2015, as the petitioners students have been admitted to the School but enhanced fee has not been refunded.

Notice of motion was issued. In response to the notice of motion, reply has been filed which is on record.

Learned counsel for the petitioners submits that the order has been complied with partly as only the petitioners- students have been

re-admitted to the School but the enhanced fee has not been refunded, whereas specific directions were there.

Learned counsel for the respondents submits that the students have been re-admitted but the fee was to be refunded subject to passing of order by the competent authority. The order has been passed against the petitioners and this fact has not been brought to the notice of this Court. Petitioners even have not challenged such order.

In order dated 19.09.2015 passed in the writ petition, the petitioner/school was directed to re-admit the students on the enhanced fee for the Session 2014-15 and 2015-16 without re-admission fee and late fee. The School was also directed to refund the enhanced fee along with interest to the students/their parents within a period of 15 days from the date of passing of order by the competent authority in their favour. The competent authority *i.e.* Fee and Fund Regulatory Committee has decided the matter against the petitioners as the order passed by the Director has been set aside by the Additional Chief Secretary. No case is made out to initiate the contempt proceedings.

The petition is dismissed.

However, in case the petitioners are aggrieved in any manner, they are liberty to challenge the order.

13.11.2017

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No