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

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**Civil Writ Petition No.10874 of 2017
Date of decision: September 12, 2017**

Gram Panchayat Village Sahoke, Block & District Sangrur (Punjab)

....Petitioner

versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Ashe Kumar Goyal, Advocate
for the petitioner.

Mr. IPS Doabia, Addl. A.G., Punjab.

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer in this writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari for setting aside the implementation of Memo No.8/113/2016-1/Edu 6/896368/1 dated 21.12.2016 (**Annexure P-1**) issued by the Government of Punjab, Education Department (Education-6 Section)-respondent No.2 and subsequent Office order/Letter No.1/116-2016 Survey (10+2)/74663/241-261 dated 06.01.2017 (**Annexure P-2**) issued by the Office of Director

Education Department (Senior Secondary), Punjab (Survey Section)-respondent No.3 vide which permission has been granted to upgrade to Senior Secondary (10+2) School level, the Govt. High School, Sahoke-Dhadrian (Branch), District Sangrur (respondent No.4) instead of Govt. High School, Sahoke-Dhadrian (Main), District Sangrur (respondent No.5), in an arbitrary, unilateral, illegal manner, which is against the public interest at large and in gross violation to circumvent the office order/Memo No.8/44/2016-1/Edu 6/174922/1 dated 13.06.2016 vide which earlier permission was granted to upgrade Govt. High School, Sahoke-Dhadrian (Main), District Sangrur to Senior Secondary (10+2) School level, which is annexed herewith as **Annexure P-3**. Further prayer has also been made to direct respondent No.1-State of Punjab and its functionaries, Officers and other respondents to withdraw forthwith Memo No.8/113/2016-1/Edu 6/896368/1 dated 21.12.2016 (**Annexure P-1**) and subsequent Office order/Letter No.1/116-2016 Survey (10+2)/74663/241-261 dated 06.01.2017 (**Annexure P-2**) and to allow or to continue the admission of the students from new session in 10+2 at Govt. Senior Secondary School or also known as Govt. High School, Sahoke-Dhadrian (Main), District Sangrur (respondent No.5) and in addition to that to provide the requisite sanctioned Lecturer and other staff to respondent No.5 for imparting education to the students of 10+2 level for their welfare, benefit and for providing employment opportunities

to the unemployed youth, members of Scheduled Castes, Backward classes and other residents of villages Sahoke, Ratoke, Manderkhurd, Buggar, Takipur and Dhadrian and other nearby villages in District Sangrur.

2. While issuing notice of motion on 19.05.2017, the shifting of class 11th students from Government High School, Sahoke-Dhadrian (Main), village Sahoke, District Sangrur (respondent No.5) to Government High School, Sahoke-Dhadrian (Branch), village Dhadrian, District Sangrur (respondent No.4) was stayed.

3. In context thereto, learned State counsel has filed reply by way of short affidavit of Sh. Paramjit Singh, Director of Public Instruction (Secondary Education), Punjab on behalf of respondents No.1 to 7, in Court today. The same is taken on record, subject to all just exceptions. Para No.2 of the reply reads thus-;

“That in this regard it is respectfully submitted that Govt. passed the order No.8/113/2016-1Edu.6/1039950/1, dated 08.08.2017 wherein it was decided to withdraw the approval accorded to upgrade the Govt. High School Sahoke Dhadrian (Branch) district Sangrur vide order No.8/113/2016-1Edu 6/896368/1 dated 21.12.2016 (Annexure R-1). It is also further decided to upgrade to Govt. High School Shahoke Dhadrian (Main) upto Senior Secondary (10+2) level District Sangrur. The approval is also accorded to shift one post of Principal and five posts of Lecturers alongwith students of 10+1 and 10+2 classes. The translated copy of order No.8/113/2016-

1Edu.6/1039950/1, dated 8.8.2017 is appended as Annexure R-II.”

4. In view of the aforesaid reply, learned State counsel submitted that the present petition has been rendered infructuous and may be disposed of as such. The said fact has not been disputed by learned counsel for the petitioner.
5. Disposed of as infructuous.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

September 12, 2017
sonia gugnani

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No