

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

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**CWP-16213-2017
Decided on 3.8.2017**

S.D.VIDYA SCHOOL

....PETITIONER

VS

STATE OF HARYANA & OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.
for respondents No. 1 and 2.

Mr. Ajay Kumar Gupta-respondent No. 3.
in person.

AJAY TEWARI, J.(Oral)

As per office report, service is complete.

This petition has been filed against the order Annexure P-12 which was followed by the order Annexure P-18. Learned counsel for the petitioner has argued that the order impugned in P-12 was also impugned by another person and by the order Annexure P-10 the appellate authority had remanded the matter back to the FFRC for a fresh decision after hearing all the parties and now on the one hand, the matter is proceeding before the FFRC and on the other hand the appellate authority is also seized of the matter. Mr. Ajay Kumar Gupta-respondent No.3 who is present in the Court today has fairly accepted that this is an anomalous situation where on the one hand the matter has been remanded back to the FFRC for fresh decision and on the other

hand the appeal is also pending and states that he would be satisfied if the FFRC now decide the matter after giving due opportunity of hearing to all the parties and after considering the entire material. Counsel for the petitioner states that in this view of the matter with the consensus between the parties that the matter has to be decided by the FFRC, Annexure P-12 and P-18 should be set aside.

Learned Assistant Advocate General and the respondent No.3 have accepted this.

Resultantly, the impugned orders are set aside and the matter is left to be decided by the FFRC in terms of the order Annexure P-10 and petition stands disposed of.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

3.8..2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No