

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

(124)

CWP-3891-2017

Decided on: February 28, 2017.

Rajnish Bala

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sartej Singh Narula, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

The instant petition under Articles 226 and 227 of the Constitution of India has been filed by the petitioner, being Principal of Green Land Convent School, Civil City, Chander Nagar, Ludhiana, challenging the continuation of proceeding before the Fee Committee for private Aided School of Punjab initiated on the basis of the complaint of respondent No.3 on the following two grounds:

- (i) no jurisdiction is vested with the Fee Committee on account of formation of Regulatory Body under the Statute i.e. the Punjab Regulation of Fee of Unaided Educational Bill, 2016 notified on 23.12.2016;
- (ii) there being violation of rules of natural justice claiming as the proceedings had been taken up by the Fee Committee after 23.12.2016 on 27.12.2016 Annexure P-10 and on 02.02.2017 as is apparent from the communication sent by the Superintendent of Fee Committee, dated 15.02.2017 (Annexure P-10) to the petitioner informing that the documents had been submitted; case had been argued; arguments having been closed; and the judgment having been reserved on 02.02.2017, whereas no

opportunity had been given to the petitioner or any representative to raise arguments and close the arguments.

I have considered the arguments raised by the counsel for the petitioner referring to the above said factual and legal aspects.

Since the matter has not been finally decided by the Fee Committee as per the communication dated 15.02.2017, this petition is disposed of without prejudice to the right of the petitioner to approach the Fee Committee and to raise all the pleas of fact and law raised in the present petition. In case any prejudicial order is passed, it will always be open to the petitioner to approach this Court.

(M.M.S. BEDI)
JUDGE

February 28, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No