

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

(124)

CWP-6499-2017

Decided on: March 29, 2017.

Association of Private Un-aided CBSE Schools of Punjab (Regd.)

.... Petitioner

Versus

State of Punjab and others

..... Respondents

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

Present: Mr. Pankaj Maini, Advocate, for the petitioner.

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

This petition is liable to be dismissed as not maintainable for the following reasons:

- (1) The persons, likely to be effected by the order of this Court, have not been impleaded as party; and
- (2) The petitioner has got an alternative remedy of approaching the civil Court for enforcement of the legal right as Section 9 Code of Civil Procedure provides such remedy for the petitioner Association.

Learned counsel for the petitioner, at this stage, has made a request that as the rights of schools, who are members of the petitioner Association, are not protected as such representations Annexure P-3 and P-4 have been submitted to the Deputy Commissioner, Ludhiana and Police Commissioner, Ludhiana besides the senior administrative authorities.

I have gone through the representations Annexure P-3 and P-4.

Perusal of the representations Annexure P-3 and P-4 indicate that the allegations in the said representations by the petitioner Association, are absolutely vague and uncertain.

It cannot be depicted from the averments in the said representations as to on what day, time or place, the legal rights of any specific member of the petitioner Association stood infringed.

In view of said circumstances, I do not find any reason to issue any direction.

Dismissed as not maintainable.

It will be open to the petitioner-Association or any of its individual members to refer to any specific instance and approach the authorities or to avail the remedy of approaching the Civil Court on existence of a specific cause of action.

(M.M.S. BEDI)
JUDGE

March 29, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No