

In the High Court of Punjab and Haryana at Chandigarh.

**CWP-8136 of 2017
Decided on 26.4.2017**

Kashish Jindal and others

--Petitioners

Vs.

State of Punjab and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. R.S.Thakur, Advocate, for the petitioners

Rakesh Kumar Jain,J: (Oral)

This petition is filed by the students of respondent Nos. 5 and 6 and have prayed for a direction to them to comply with the provisions contained in the Right of Children to Free and Compulsory Education Act, 2009 and also the Right of Children to Free and Compulsory Education Rules,2010.

The petitioners are aggrieved against the charging of re-admission/capitation fee at the start of new Session, though the petitioners have already been studying in the said School and also for not prescribing N.C.E.R.T books and rather prescribing the books published by other private publishers. The petitioners have also prayed that a direction may be issued to the respondents to restrict the fee hike only to the extent of 5% annually.

Learned counsel for the petitioners has been fair enough to

refer to The Punjab Regulation of Fee of Unaided Educational Institutions Act, 2016, by which a 'Regulatory Body' has been constituted to look into the complaint of the nature made in the present petition, though at the instance of the students or their parents in respect of charging excessive fees with a motive to gain financial benefit or profit.

Since the petitioners belong to Bathinda District and the Committee has been constituted at the Divisional Level i.e. Ferozepur Division, therefore, the remedy for the petitioners for the redressal of their grievance lie before the 'Regulatory Body' at the first instance.

Consequently, this petition is disposed of with liberty to the petitioners to approach the Divisional Regulatory Body at the first instance, for the redressal of their grievance.

26.4.2017
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned:

Yes/No.

Whether Reportable:

Yes/No