

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No. 8532 of 2017

Date of Decision: April 26, 2017

Sant Nischal Singh Public School, Ladwa

.....Petitioner

Vs.

State of Haryana and another

....Respondents

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

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Present: Mr.Kanwal Goyal, Advocate for the petitioner.

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

The petitioner through instant writ petition has sought issuance of a writ in the nature of Mandamus directing respondent No.2-Director, General, Senior Secondary Education, Panchkula to issue NOC for minority status as Sikh minority to the School which is being run by the Trust in view of the provisions of Section 10 of the National Commission for Minority Educational Institutions Act, 2004. It is averred in the petition that as per Clause 14 of the guidelines dated August 14, 2015, the petitioner has pledged an amount of Rs.1 crore in the manner provided therein but on account of inaction on the part of the respondents, the same had been

withdrawn. An undertaking has been given to pledge an amount of Rs.1 crore as required by the State within 30 days of grant of NOC.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Kapil Bansal, DAG, Haryana, accepts notice. Copy given.

Without expression of any opinion on merits at this stage, I am of the considered opinion that the ends of justice would be met in case a direction is issued to respondent No.2 to consider the claim of the petitioner as depicted in application annexure P-3 dated March 7, 2017, for grant of NOC for conferring minority status to Sant Nischal Singh Public School, Ladwa, within a period of 15 days after the receipt of a certified copy of the order subject to petitioner fulfilling all the requisites of the guidelines dated August 14, 2015 including pledging of the requisite amount and issue the necessary NOC by passing a speaking order, in case the above said School is found entitled to the same.

Disposed of with the above observations.

Meanwhile, during the pendency of consideration of the application annexure P-3, the admission process and running of the school will not be interrupted by respondents.

April 26, 2017

sanjay

Whether speaking/ reasoned:

Whether reportable :

(M.M.S. BEDI)

JUDGE

Yes/No.

Yes/No.