

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

**C.O.C.P. No. 871 of 2018 (O&M)
Date of Decision: 18.04.2018**

D.P.S.G. Parents Association, Palam Vihar,
Gurgaon through its President Dev Kumar

..... Petitioner

Versus

Mrs. Dheera Khandelwal, Additional Chief Secretary to
Govt. of Haryana, Department of Education, Haryana, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Indresh Goel, Additional Advocate General, Haryana
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Association alleges the violation of the order dated 15.12.2017 (**Annexure P-1**) passed by this Court in writ petition bearing *CWP No. 27659 of 2017*, whereby a Committee was ordered to be constituted to look into the fees and funds charged by Delhi Public School Ghaziabad, Palam Vihar, Gurugram and Manav Rachna School, Faridabad and the report was to be submitted by 28.02.2018 before the Government, the operative part of the said order dated 15.12.2017 (**P-1**) is as under:-

“ In the circumstances pointed out above, I find myself facing the same situation which confronted the Division Bench. In my opinion, the option before the Court is either to examine the issue itself or to consider some alternative. In my opinion it would be appropriate if the Additional Chief Secretary (Education), Haryana constitutes a committee which would go into the issue of the fees which are being demanded by the respondent-Schools (for the period after the academic session 2013-2014) till such time as the Govt. puts

into place an amended Rule as has been submitted before me. Till the time the Committee decides the issue of justification the petitioners will pay the fees demanded by the respondent-Schools.

As regards the arrears which are due from 2014-15 onwards, the same will be cleared on or before 28.02.2018. Both the schools shall file undertakings (by the head of the Body which governs them) to the effect that in case the Committee now to be appointed determines that any fees which have been obtained by them was excessive and unjustified they would be liable to refund the excess money which they have collected and would have no objection if the property of the institution has to be sold for that purpose. These undertakings be filed on or before 22.12.2017 with copy to the counsel for the petitioners. The Additional Chief Secretary (Education), Haryana would constitute the Committee on or before 31.12.2017 and the Committee would furnish its report on or before 28.02.2018. It is made clear that the Committee which is now to be constituted would not be bound by any order which was passed earlier. ”

Since the needful was not done within the stipulated time, hence the present contempt petition.

At the time of hearing today, learned State Counsel has filed the reply by way of affidavit dated 17.04.2018 of Mrs. Dheera Khandelwal, Additional Chief Secretary to Govt. of Haryana, School Education Department, Chandigarh, in Court today, which is taken on record. In reply, it is stated that in compliance of the directions dated 15.12.2017 (**P-1**), the Committee has submitted its report dated 16.04.2018 (**Annexure R-1**), therefore, the order in question has been complied with. A copy of the reply dated 17.04.2018 alongwith Committee's report has been furnished to the counsel for petitioner-Association.

In view of above, counsel for the parties concede that nothing more survives for adjudication in the present contempt petition.

Disposed of.

The petitioner-Association is given liberty to challenge the aforesaid report dated 16.04.2018 (**R-1**), if there are any substantial question arises, in accordance with law.

April 18, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>