

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-15052 of 2016(O&M)

Date of Decision: July 04, 2018

Shree Mahavir Jain High School and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Gurcharan Dass, Advocate
for the petitioners

Mr. Randeep Singh Bains, DAG Punjab

Mr. Rajan Singh Dadwal, Advocate
for respondent No. 4

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Sudhir Mittal, J. (Oral)

CRM-22313-2018

This is an application for placing on record short reply by way of affidavit on behalf of respondent No. 4.

Application is allowed and reply filed on behalf of respondent No. 4 is taken on record.

Crl. Misc. No. M-15052 of 2016

The present petition has been filed for quashing of Complaint No. 245-R dated 09.09.2014 (Annexure P-9) filed by respondent No. 4 before the SDM Raikot on the ground that the same is not maintainable on account of pendency of civil litigation between the parties.

Short reply has been filed on behalf of respondent No. 4 alongwith which letter dated 13.10.2018 issued by the office of Sub-Divisional Magistrate, Raikot (Ludhiana) has been annexed, according to which, the complaint made by

respondent No. 4 has been consigned to the record room.

In view of the above, the present petition has been rendered infructuous as the prayer made in the petition does not survive.

Learned counsel for the petitioner, however, submits that after filing of the complaint the record of the school has been taken into custody by the Sub Divisional Magistrate concerned and the same has not been returned till date.

Respondent No. 2 is directed to return the record of the school within a period of seven days from the date of receipt of certified copy of this order, since the complaint has already been consigned to the record.

The petition stands disposed of.

July 04, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No