

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-8825-1996 (O&M)
Date of Decision:-04.12.2018.

Ram Niwas Goel and others

.....Petitioners

Versus

The State of Haryana through Commissioner and Secretary, Department of
Technical Education, Haryana, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

ARUN MONGA, J. (Oral)

The present petition has been filed, *inter alia*, praying for issuance of a writ in the nature of certiorari for quashing of impugned order dated 02.06.1996 Annexure P-11 whereby the State Government took a decision that the classes of certain students of respondent No.4/Nalwa Polytechnic College at Ujha, District Panipat studying in various semesters be arranged in different Government Polytechnics only for the duration of the current semester at the relevant time. The petition has been filed by the Lecturers of respondent No.4-College seeking transfer of the students fearing that upon the said transfer, they/staff of the college may be retrenched as there would be no students left in the college.

2.) Learned State counsel contends that owing to lack of

infrastructure at the respondent No.4/college, students remained on strike/hunger strike for about 2 months at the relevant time. The students were not ready to join Nalwa Polytechnic College, Ujha, District Panipat to continue their further studies. Therefore, the State Government decided that the said students be shifted to some other affiliated institution to complete their current session temporarily at the relevant time. He further states that later on, the said students have satisfactorily completed their studies have moved on in their life. In any case, even at the relevant time in 1996, they did not object to their transfer from respondent No.4-College to the other institutions as they did not want to go back to Nalwa Polytechnic College, Ujha, District Panipat. It was the management of College which pressurized them to resist their transfer. Learned State counsel further contends that be that as it may, no legal right of the petitioners herein has been infringed by the transfer of students as the impugned action/order did not affect them in any manner and the petition was filed only on a mere apprehension.

Keeping in view the contentions of the learned State counsel, the present writ petition is dismissed both being infructuous as well as on merits.

(ARUN MONGA)
JUDGE

December 04, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.