

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

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CWP-20546-2017

Date of Decision: 03.04.2018

**GRAM PANCHAYAT DHADRIAN, BLOCK & DISTRICT
SANGRUR**

....Petitioner.

Versus

STATE OF PUNJAB & ORS.

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Madhav Pokhrel, Advocate
for the petitioner.

Mr. Shireesh Gupta, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J.

In the instant writ petition, which has been preferred in the form of public interest litigation, the petitioner has sought quashing of order dated 08.08.2017, whereby the Government High School, Sahoke-Dhadrian (Main) Village Sahoke, District Sangrur has been approved for upgradation.

2. It is the case of the petitioner that earlier Government High School Sahoke–Dhadrian (Branch) Village Dhadrian, District Sangrur had been approved for upgradation as Senior Secondary School and the respondents have arbitrarily decided to revoke the upgradation and instead approve the upgradation of Government High School, Sahoke-Dhadrian (Main), Village Sahoke, District Sangrur. Learned counsel for the petitioner has contended that the Government High School Sahoke–Dhadrian (Branch) Village

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Dhadrian, District Sangrur was more suitable for upgradation and the respondents could not have denied the same and opt for upgradation of Government High School, Sahoke-Dhadrian (Main), Village Sahoke.

3. In the reply filed by the respondents, it is stated that in terms of the conditions laid down by the Government on 01.09.2015 for upgradation, minimum 150 students along with space for construction of library as well as play ground are required. In rural area, 03 acres of land should be available for school and play ground. The area which falls within the Government High School Sahoke–Dhadrian (Main) is 03 acres and 02 kanals while the area within Government High School Sahoke–Dhadrian (Branch) is only 02 acres, 01 kanal and 15 marlas. The number of students in Government High School Sahoke–Dhadrian (Main) are 241 in Class 6 to 10 while in the Government High School Sahoke–Dhadrian (Branch), there are 194 students. It is also stated that both the schools are situated at a distance of only about half a kilometer. There is a dispute between the Panchayats of Villages Sahoke and Dhadrian and efforts were made to help the parties arrive at a compromise but the same did not bear any fruit. The two villages are very close to each other and, therefore, the students would not be put to any hardship.

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4. In view of the reply, we are satisfied that the decision arrived at by the respondents to upgrade Government High School Sahoke–Dhadrian (Main) Village Sahoke, District Sangrur as Senior Secondary School is bona fide, especially when the distance between the two schools is only half a kilometer.

5. We, therefore, do not find any justification in interfering with the impugned order. Consequently, the petition stands dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

03.04.2018

SwarnjitS

Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO