

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Civil Writ Petition No.20442 of 2018.
Date of Decision: August 17, 2018
Innovative Pre-Primary School Association (Regd.)Petitioner
versus
State of Haryana and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: None for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is a registered Association who is running Schools at different sites in and around Faridabad city. It is averred that members of the petitioner Association were running nursery/pre-primary Schools on the sites allotted by the Government agencies at high premium. Some of the members purchased the sites on free-hold basis in open auctions.

The grievance of the petitioner-Association is that a number of unauthorized Schools in the city of Faridabad/Greater Faridabad are being run in the premises which are not earmarked for Schools in the master-plan. These Schools do not conform to the prescribed standards and have no basic amenities/facilities required to run a school. All the alleged unauthorized Schools have been impleaded as respondent Nos.7 to 13. The petitioner-Association thus seeks a direction to official respondent Nos.1 to 6 to act in accordance with law against such unauthorized Schools and ensure that no nursery/pre-primary School is allowed to run from the premises not earmarked or approved as a School-site.

We find that similar issues were earlier raised in CWP No.7171 of 2015 which was disposed of by a Coordinate Bench vide order dated

issued notices to the management of the Schools which are being run in unauthorized premises but no final action was being taken pursuant thereto. The writ petition was disposed of with a direction to take such proceedings to a logical conclusion.

The grievance of the petitioner-Association appears to be that no effective action has been taken by the official respondents pursuant to the above-stated directions issued by this Court and despite legal notice-cum-representation dated 09.06.2018 served on behalf of the petitioner-Association.

Having gone through the specific averments made in the writ petition to the effect that various Schools are being allowed to operate unauthorizedly or that action initiated by the official respondents against such unauthorized Schools has not been taken to its logical conclusion in accordance with law, but without expressing any views on the merits of the allegations, for we have not heard the private-respondents at this stage and no order prejudicial to their interest can be passed at their back, the writ petition is disposed of with a direction to respondent Nos.1 to 6 to verify the allegations made by the petitioner-Association and take necessary action as per law and in accordance with the principles of natural justice, within a period of four months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

August 17, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE