

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

**CWP-21578-2018 (O&M)
Date of Decision:29.11.2018**

Guru Amar Dass Canadian Public School

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. B.R. Rana, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

Mr. Puneet Bassi, Advocate for respondents No.2 and 3.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-17986-CWP-2018:

Prayer in the application is for withdrawal of the main writ petition with liberty to file a petition afresh so as to raise a challenge to the order dated 04.10.2018/09.10.2018 and whereby an appeal preferred by the petitioner/school has been rejected by the Appellate Authority.

Counsel submits that the order of the Appellate Authority was passed after filing of the main writ petition.

Notice in the application.

Mr. TPS Chawla, learned DAG, Punjab accepts notice on behalf of State of Punjab and Mr. Puneet Bassi, Advocate accepts notice on behalf of respondents No.2 and 3.

In view of the prayer made in the application and by recording a consent of the counsel for the parties, the date in the main writ petition is preponed from 12.12.2018 and the same is taken up on Board today itself.

Application is disposed of.

Main case:

Challenge in the instant writ petition was to the order dated 07.05.2018 passed by the Secretary, Punjab School Education Board (Annexure P-1) and in terms of which the association/recognition granted in favour of the petitioner/School had been cancelled.

It has gone uncontroverted that after filing of the instant petition, an appeal that had been preferred by the petitioner/School against the order dated 07.05.2018 (Annexure P-1) has also been decided and rejected by the Appellate Authority vide order dated 04.10.2018/09.10.2018.

Counsel for the petitioner/School prays for withdrawal of the instant writ petition with liberty to file a petition afresh to raise a challenge to the orders passed by the Appellate Authority as well.

As per submission made by counsel, petition is dismissed as withdrawn.

Liberty, however, is granted to the petitioner/School to raise a challenge to the order of cancellation of association/recognition dated 07.05.2018 as also the orders passed by the Appellate Authority dated 04.10.2018/09.10.2018 on all such grounds that may be available to the petitioner/School in accordance with law.

Dismissed as withdrawn with liberty as prayed for.

29.11.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |