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

**CWP No.24962 of 2018
Date of decision:28.09.2018**

Nancy (Minor) and another ...Petitioners

Versus

State of Haryana and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

**Present: Mr. Ranjan Lakhanpal, Advocate,
for the petitioners.**

Rakesh Kumar Jain, J.

The petitioners had earlier approached this Court by way of filing CWP No.16967 of 2018, which was disposed of on 13.07.2018 with the following order:-

“The petitioners have prayed for declaring the action of respondents No.5 &6 for not granting them admission under Section 134-A of the Haryana School Education Rules, 2003 [for short ‘the Rules’], as illegal.

In brief, the petitioners applied in the office of Block Education Officer, Samalkha, Panipat for taking admission in 2nd and 7 th class respectively under Section 134-A of the Rules. They both appeared in the entrance examination for that purpose and after qualifying the same they were allotted the school of respondent No.5 & 6. However, since there was no vacancy in the school of respondents No.5 & 6, therefore, they were not given admission.

Learned counsel for the petitioners has submitted that respondent No.4 should have arranged the admission of the petitioners in some other school. The petitioners instead of approaching respondent No.4 in this regard had made a complaint against him to the SDM, Samalkha, Panipat. As there is no vacancy

found for the admission of both the petitioners in the school of respondent No.6, therefore, there is no error found on the record, on the basis of which the SDM, Samalkha, Panipat can take action or grant admission illegally and as such the present petition is hereby dismissed, leaving the petitioners to their remedy to approach respondent No.3 i.e. the District Education Officer, Panipat for seeking the necessary relief.”

Thereafter, the petitioner approached the District Education Officer, Panipat by making an application dated 26.07.2018. The said application has been rejected on 21.08.2018 with the following order:-

“By sending original application of the applicant, it is written that admission of applicant's both daughters could not be made under Section 134-A in Apollo International School, Patti Kalyana as there is no vacant seat. After that, applicant by making this application is making demand of admission of his daughters in the said school. However, as per rules, admission of applicant's daughter could not be made in the said school. Applicant has not given any option of other school for admission of his daughters.”

Once it has been held twice that there is no availability of vacant seat in the school of respondent no.5, there is no scope for interference in this petition.

Dismissed.

September 28, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No