

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

108+204

CWP No.7106 of 2016 (O&M)
Date of decision: May 16, 2018

Jagsir Singh and another

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. J.S. Rana, Advocate for the petitioners.

Mr. Avinit Avasthi, AAG, Punjab.

Mr. Gaurav Singla, Advocate for respondent No.6.

AJAY KUMAR MITTAL, A.C.J. (ORAL)

Civil Misc. No.7332 of 2018

Annexures A-1 to A-3 filed along with the application are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

CM stands disposed of.

Main case

1. The petitioners have invoked the writ jurisdiction of this Court under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to ensure the construction of building of respondent No.5-School (Government Adarsh Senior Secondary School, Pathrala, Block Sangat, District Bathinda). It has further been prayed that the petitioners be permitted to provide the requisite staff/teachers in the said school, within a specified time frame, specially for the students from Class 1st to 12th who are sitting under sheds in a dharamshala and adequate number of teachers as envisaged under the

CBSE norms have not been appointed in this Adarsh School.

2. Notice of motion was issued and separate replies on behalf of respondents No.1 to 3 and 6 respectively had been filed. However, learned counsel for respondents No.1 to 4-State had also filed an additional affidavit dated 06.03.2018, of Sh. Parshant Kumar Goyal, Director General School Education-cum-Member Secretary, Punjab Education Development Board, Punjab School Education Board Complex, E-Block, Phase-8, Mohali, wherein, *inter alia*, it has been stated that on completion of present academic session, the board has decided to shift the students in the adjoining schools and to close the Adarsh School, Pathrala for which the proposal has been submitted to the Government for approval. The relevant portion of the said affidavit reads thus:-

'So on completion of this academic session, the board has decided to shift the students in the adjoining Government Schools and close Adarsh School, Pathrala from next academic session and a proposal for the same has been submitted for Government for approval.'

3. In view of the above, learned counsel for the petitioners submitted that the present petition has been rendered infructuous and the same may be disposed of as such.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

May 16, 2018
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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No