

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-29377-2018 (O&M)
Date of Decision: 20.11.2018

BDM Senior Secondary School

--Petitioner

Versus

State of Haryana & others

--Respondents

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

Present:- Mr. J.S. Dahiya, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

The instant writ petition has been filed assailing the order dated 8.10.2018 (Annexure P-17) issued by the Secretary, Haryana School Education Board, Bhiwani and in terms of which the affiliation granted to the petitioner school has been canceled. Further challenge is to a communication dated 29.10.2018 (Annexure P-18) again issued by the Secretary, Haryana School Education Board, Bhiwani, wherein the petitioner school was granted 10 days time to furnish certain record and failing which the result of such students, who had appeared in the March, 2018 Examination, was liable to be canceled.

There is no dispute as regards the factual premise that the impugned order dated 8.10.2018 (Annexure P-17) canceling affiliation of the petitioner school has been taken under the Board of School Education Affiliation Regulations.

Under Rule 11 of the Regulations a statutory remedy of appeal is provided against any order pertaining to refusal/withdrawal/suspension of affiliation to the Board of School Education, Haryana.

The petitioner school has a statutory remedy under Rule 11 of the Regulations against the impugned order dated 8.10.2018 (Annexure

P-17).

In the considered view of this Court, it ought to exhaust such remedy prior to approaching this Court under Article 226 of the Constitution of India. Needless to observe that the order dated 29.10.2018 (Annexure P-18) is a mere fall out of the basic order of cancellation of affiliation dated 8.10.2018 (Annexure P-17).

In view of the above, the instant writ petition is disposed of in terms of granting liberty to the petitioner school to avail of its statutory remedy under the Affiliation Regulations.

It is clarified that this Court has not examined the case on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

20.11.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No