

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

CWP No.12297 of 2019 (O&M)

Date of Decision:09.07.2019

DAV Public School

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Akshay Bhan, Senior Advocate with
Mr. R.S. Cheema, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

A challenge has been raised in the instant petition to certain clauses of a transport scheme namely “Safe School Vahan Scheme” dated 07.11.2013 (Annexure P-1) issued by the State of Punjab, Transport Department.

During the course of hearing an order dated 20.01.2017 passed by a Division Bench of this Court in a public interest litigation i.e. CWP No.6907 of 2009 titled as Court on its Own Motion Vs. State of Punjab & Ors. was adverted to. Perusal of such order would reveal that categorical directions had been issued to the State of Punjab as also the State of Haryana and Chandigarh Administration to ensure that the impugned policy herein is implemented in its true letter and spirit.

Suffice it to observe that at the stage of passing of the aforesaid order by the Division Bench the DAV Public School, BRS Nagar, Ludhiana was duly represented apart from other educational institutions as also parents association etc.

The instant writ petition is also at the hands of the same very school i.e. DAV Public School, Bhai Randhir Singh Nagar, Ludhiana.

In the considered view of this Court, the objection if any against the 'Safe School Vahan Scheme' dated 07.11.2013 ought to have been raised before the Division Bench at the stage of passing of the directions in the order dated 20.01.2017 while disposing of CWP No.6907 of 2009.

Confronted with such a situation counsel seeks withdrawal of the petition with liberty to raise all issues pertaining to the scheme in question before a Division Bench of this Court.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

July 09, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No