

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19710 of 2019
Date of decision: 30.09.2019

Sir Chhotu Ram Sr. Sec. School and others ...Petitioners

Versus

State of Haryana and others ...Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Pankaj Maini, Advocate for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

B.S. WALIA, J. (Oral)

1. Additional affidavit of Mr. Anil Nagar, Deputy Secretary to Govt. of Haryana, School Education Department, Haryana, has been filed in Court. The same is taken on record, copy thereof handed over to learned counsel for the petitioners. As per the affidavit, despite provisional recognition having been granted to the petitioners' school, the conditions stipulated were not complied with and that although application dated 15.04.2019 was submitted by petitioner No.1 i.e. Sir Chhotu Ram Sr. Sec. School, Churni Jattan, Kurukshetra, for grant of provisional recognition, the matter was got inquired from the District Education Officer, Kurukshetra, who conducted inspection of petitioner No.1-school on 24.04.2019 and submitted report rejecting the claim of petitioner No.1-school on the ground that : i) Library is

not maintained-Books are not available, ii) No fire safety instrument installed, iii) No science lab available and iv) No computer lab available. The reply further mentions that petitioner No.2 i.e. Little Angles High School, Shahabad Markanda, Kurukshetra, did not apply for provisional recognition for the year 2019-20, therefore, its name has been put in the list of unrecognized schools for 9th and 10th class.

2. Learned Deputy Advocate General states that the action to close the petitioners' school has been taken pursuant to orders passed in **CWP No.23119 of 2017, titled Sawasthya Shiksha Sahyog Sangthan vs. State of Haryana and others**, pending before Hon'ble the Division Bench of this Court for 08.11.2019, in which Hon'ble the Division Bench has taken a very serious view regarding the functioning/running of unrecognized schools in the State of Haryana, therefore, no fresh recognition can be granted unless the petitioners' school does not fulfill the requisite conditions as per the Haryana School Education Rules, 2003 as amended from time to time.

3. Faced with the aforementioned position, learned counsel for the petitioners prays for permission to withdraw the writ petition with liberty to file a representation before respondent No.3 after fulfilling the requisite conditions stipulated under the Haryana School Education Rules, 2003, for grant of recognition with respondent No.3 being directed to decide the representation on receipt.

In the light of position as noted above, the writ petition is permitted to be withdrawn with the liberty as prayed for. In the

eventuality of a representation being submitted by the petitioners, respondent No.3 would take a decision on the same in accordance with the rules and regulations, by passing a speaking order, as expeditiously as possible, preferably within three months thereafter.

4. Writ petition disposed of in the aforementioned terms.

(B.S. WALIA)
JUDGE

30.09.2019
rajesh.k.khurana

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| 1. Whether speaking/reasoned | : | Yes/No. |
| 2. Whether reportable | : | Yes/No. |