

(341) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23545 of 2019
Date of decision: 04.09.2019

Mohd. Raza

...Petitioner

Versus

UT Admn. Through its Secretary & Ors.

...Respondents

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

Present: Mr. R.K. Sharma, Advocate for the petitioner.

Ms. Sharmila Sharma, Addl. Govt. Pleader/Senior Panel
Counsel for respondent Nos.1 and 2.

Mr. D.S. Nalwa, Advocate for respondent No.3/School.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition is for the issuance of a writ of mandamus directing respondent No.3/School to admit the petitioner in LKG Class under the EWS Category in terms of Right to Free and Compulsory Education Act, 2009 and Rules, 2010 as also the allotment of land to Educational Institutions (Schools) etc. on lease hold basis in Chandigarh Scheme, 1996 in compliance to the directions of this Court in CWP No.18147 of 2008 in case titled as The Independent Schools Association (Regd.) Chandigarh v. Chandigarh Administration and others.

[2] Ms. Sharmila Sharma, Addl. Govt. Pleader/Senior Panel
Counsel appearing for respondent Nos.1 and 2 and Mr. D.S. Nalwa,

Advocate appearing for respondent No.3-School state that the writ petition is misconceived since the petitioner did not apply for admission in respondent No.3-School at any stage of time before the last date i.e. 11.04.2019, however, as a special case, the plea of the petitioner for her admission in LKG class can be considered in case the parents/guardian of the petitioner submit an application duly complete in all respects to the Education Department within a period of three days from today. The same satisfies the learned counsel for the petitioner.

[3] In view of the statement of learned counsel for the parties, the writ petition is disposed of by directing parents/guardian of the petitioner to submit an application complete in all respects to respondent Nos.1 and 2 with copy to respondent No.3/School for admission of their ward to LKG class in respondent No.3-School. On receipt of the application within the time as aforesaid, respondents would consider and take a decision sympathetically for grant of admission to the petitioner in LKG Class in respondent No.3/School. However, in view of the concession given by respondent No.3, this order shall not be treated as a precedent.

(B.S. Walia)
Judge

04.09.2019

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