

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

**209**

**CWP No.7338 of 2020 (O&M)  
Decided on : 22.05.2020**

Independent Schools' Association Chandigarh (Regd.) and others

... Petitioners

Versus

Chandigarh Administration and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present: Mr. Aashish Chopra, Advocate  
for the petitioners.

Mr. Pankaj Jain, Advocate  
for respondent-U.T.

Mr. P.K. Rapria, Advocate  
for the applicant in CM-4793-CWP-2020.

**G.S. Sandhawalia, J. (Oral)**

The matter has been taken up by way of Video Conferencing through Cisco Webex Application in view of COVID-19 situation, as per instructions issued

In the present writ petition filed under Articles 226/227 of the Constitution of India the orders dated 29/30.03.2020 (Annexure P-8) and 07.04.2020 (Annexure P-9) issued by the Chandigarh Administration have been challenged by the petitioners. While issuing notice of motion on 13.05.2020 and noting the contention of the counsel for the petitioners, the Coordinate Bench had directed that the respondent-Authority shall take an appropriate call by the next date of hearing, after hearing the petitioners.

Counsel for the U.T. Chandigarh has placed on record the order dated 18/19.05.2020 (Annexure R-1), wherein the order has been passed by

the Principal Secretary Education, Chandigarh Administration and further directions as such have been issued as under:-

(i) That the private unaided schools are permitted to collect only tuition fees on monthly basis from students till further orders and the date to deposit the same is fixed as 15<sup>th</sup> day of every month from June, 2020. The fee of April and May, 2020 is to be collected by 31.05.2020 and no late fee is to be charged.

(ii) The schools have been directed to provide access of online education/material/classes to all students, without any discrimination during lockdown/vacation period.

(iii) Neither the payments of monthly salary of teaching and non-teaching staff is to be stopped and timely payments have to be made as per regular practice.

(iv) Such parents have been given liberty to given requests to the concerned schools who are having adverse financial circumstances and are not in a position to deposit the fees. However, neither the name of any of the student is to be struck off nor he/she is to be deprived of online teaching on this account during lockdown period.

Since a separate order as such has now been passed, counsel for the petitioner submits that he may be given liberty as such to challenge the order, if the need arises, and does not wish to press the present writ petition.

It is to be noticed that an application has also been filed for

permitting the applicant to intervene.

Keeping in view the stand taken by the counsel for the petitioners, this Court is of the opinion that no further orders are need to be passed, since a fresh order has been passed and a separate cause of action has now arisen, which is likely to affect various parties in different manner.

Resultantly, the present writ petition is dismissed as withdrawn with the aforesaid liberty. All pending civil miscellaneous applications also stand disposed off.

**MAY 22, 2020**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No