

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

CWP-8868-2020 (O&M)

Date of decision:- 30.06.2020

Shaheed Bhagat Singh Private Industrial Training Institute, Village
Alika, Tehsil and District Palwal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. R. S. Mamli, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

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RAVI SHANKER JHA, C. J. (ORAL)

With the consent of learned counsel for the parties, the matter is being taken up and heard via video conferencing (Webex App software).

This petition has been filed against a communication/impugned order dated 11.06.2020 passed by the Deputy Director (Tech.) for Director General, Skill Development & Industrial Training Department, Haryana, Panchkula, whereby it has been directed that admissions for the session 2020-2021 onwards in the Course being run by the petitioner-institution, and the Post Matric Scholarship (PMS) shall remain suspended. The communication further states that the Director General Training, Government of India has been requested to de-affiliate the petitioner-institution.

It is contended that the aforesaid order has been passed without giving an opportunity of explaining the alleged deficiencies found by the authorities and without considering the reply to the previous notice issued by the

authorities dated 07.10.2019 (Annexure P-7) filed by the petitioner. It is stated that without complying with the aforesaid aspects, the impugned order has been passed and that had the petitioner been given an opportunity, it would have been able to point out that the deficiencies did not exist.

Mr. Deepak Balyan, learned Additional Advocate General, Haryana submits that the procedure prescribed by law has been followed and the petitioner inspite of being given an opportunity did not respond within time and, therefore, the authorities were left with no option, but to pass the impugned order in view of the deficiencies found during inspection in order to safeguard the future of the students. At this stage, it is submitted that in case the petitioner files a representation against this order, the authorities after giving an opportunity of hearing to the petitioner, would take a decision thereon expeditiously.

In view of the aforesaid, without expressing any opinion on the merits of the case, the petition filed by the petitioner is disposed of by permitting the petitioner to file a representation before the authorities concerned within a week. It goes without saying that in case the petitioner does so, the authorities concerned shall take up the matter expeditiously and decide the same after giving an opportunity of hearing to the petitioner preferably within a period of one week thereafter.

It is made clear that if the situation so warrants and necessitates, the authorities would be at liberty to review, recall or modify the impugned order.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

30.06.2020
Amoh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No