

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

CWP-17679-2020

Date of Decision: 04.12.2020

Dhananjay Kumar

... Petitioner

Versus

Union of India and others

... Respondents

CORAM : Hon'ble Mr. Justice Girish Agnihotri

Present : Mr. Manish Puri, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate
for the respondents-UOI.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in
Virtual Court).*

GIRISH AGNIHOTRI, J.(Oral)

Petitioner-Dhananjay Kumar has filed present petition *inter alia* with a prayer for issuance of writ in the nature of certiorari, quashing the letter bearing No. F.No.05/Acad/JNVST-2020/460 dated 30.07.2020 (Annexure P-8) wherein the case of the petitioner was forwarded to NVS-RO-Chandigarh for further clarification as well as letter bearing No. F.JNVST-6th/2020-21/JNVP/611 dated 18.09.2020.

Learned counsel for the petitioner makes reference to Annexure P-2 para 1 to submit that in fact respondents ought to have considered the petitioner eligible. He submits that they should have ignored the inadvertent mistake (of wrongly mentioned as Pathankot). Records of the case show that on 27.10.2020, notice of motion was issued.

On behalf of respondents No.1 to 3, reply has been filed through Capt Teena Dhir Retd, Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Office, Chandigarh.

Learned counsel appearing for respondents vehemently argues that in view of para 3.6 of the prospectus extracted in preliminary submissions No.1, the petitioner cannot be said to be eligible.

Faced with this situation, learned counsel for the petitioner makes an oral request and accepting the same, this Court permits the petitioner to submit a comprehensive representation to the respondents.

In case such a representation is submitted, the same be decided in accordance with law.

It is made clear that this be not treated as any observation on merits of the case and the respondents are at liberty to decide the same in accordance with law within a period of three weeks' from the date of submission of the representation.

Learned counsel for the petitioner also makes a request that he be given liberty to challenge the provisions/paras in the prospectus by way of separate writ petition.

In view of the above observations, the writ petition is dismissed as withdrawn, however, with liberty as prayed for.

(GIRISH AGNIHOTRI)
JUDGE

04.12.2020

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No