

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.21292 of 2020

Date of decision 11.12.2020

Guru Nanak Public Senior Secondary School

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

**CORAM:** *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

**Present:** Mr. Dilpreet Singh Gandhi, Advocate  
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

Mr. Jagmohan Singh Ghumman, Advocate  
for respondent-PSEB.

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**Harsimran Singh Sethi, J. (Oral)**

The present petition has been filed challenging the order dated 18.11.2020 (Annexure P/3), which according to the petitioner-school, has been received by them on 04.12.2020, by which, the affiliation granted to the petitioner-school for running a school upto the senior secondary level, has been cancelled. Learned counsel appearing for the petitioner argues that the said order has been passed without giving any opportunity of hearing to the petitioner.

The writ petition came up for hearing on 10.12.2020, on which date, the following order was passed:-

“Keeping in view the fact that the issuance of the show cause notice dated 25.09.2020 is being disputed by the learned counsel for the petitioner,

before any adjudication is undertaken qua the prayer of the petitioner, as raised in the present petition, in order to ascertain the factual aspect, learned State counsel is directed to seek instructions whether show cause notice dated 25.09.2020 was ever issued to the school authorities or not. If yes, when the same was served upon the school authorities and in what manner.

Adjourned to 11.12.2020.”

Mr. Jagmohan Singh Ghumman, Advocate has put in appearance on behalf of the respondent-PSEB and on instructions from Senior Legal Advisor, Ms. Sukhwinder Kaur Saroya learned counsel for the respondent-Board very fairly submits that a show cause notice was issued to the petitioner and the same was posted on the portal of the Board. Learned counsel for the respondent-Board concedes that show cause notice sent through the registered post was received back with the comments that due to the incomplete address, the registered post could not be delivered to the intended addressee. Learned counsel appearing for the respondent-Board states that the impugned order dated 18.11.2020 (Annexure P/3) be treated as withdrawn with liberty to the respondent-Board to pass afresh appropriate order after giving due opportunity of hearing to the petitioner-school to file reply to the allegations mentioned in the show cause notice.

Learned counsel appearing for the respondent-Board is directed to send a copy of the show cause notice dated 25.09.2020 to the learned counsel for the petitioner today itself and the reply to the said show cause notice be filed by the petitioner-school within a period of ten days thereafter explaining their position qua the allegations mentioned therein. The respondent-Board is directed to pass an appropriate order thereafter keeping in view the facts and circumstances, which emerges by taking into

consideration the reply so filed by the petitioner-school to the show cause noticed dated 25.09.2020.

Keeping in view the above, as impugned order dated 18.11.2020 (Annexure P/3) has been withdrawn by the respondent-Board with liberty to pass an appropriate order afresh, the present writ petition has been rendered infructuous and the same is disposed of as such.

It is made clear that the procedure detailed hereinbefore for passing an appropriate order afresh by the respondent-Board will be adhered to by the parties concerned.

**December 11, 2020**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*  
*Whether reportable : Yes/No*