

**RA-CW-484-2019 in CWP-22506-2019 and
RA-CW-482-2019 in CWP-22286-2019**

**GURU HAR RAI EDUCATIONAL WELFARE AND CHARITABLE
SOCIETY**

VS.

**PUNJAB STATE BOARD OF TECHNICAL EDUCATION AND
INDUSTRIAL TRAINING**

Present:- Ms. Anu Chatrath, Sr. Advocate with
Mr. Rajeev Kawatra, Advocate, for the applicant.

Mr. Aayush Sarna, AAG, Punjab.

Three writ petitions were decided vide judgment and order dated 17.9.2019. Review has been sought in two of them i.e. CWP-22506-2019 and CWP-22286-2019.

The writ petitions were partly allowed and impugned order dated 1.8.2019, dis-affiliating the petitioners therein, was quashed. Directions were also given to the respondent-Board to pay compensation of Rs.18,00,000/- to each of the petitioners.

The order of payment of compensation was passed keeping in view the law laid down in CWP-8889-2014 titled as **Nancy College of Education Vs. SCERT Punjab and others.** No argument was raised on behalf of the respondent-Board to distinguish the said judgment nor was any attempt made to explain the delay in passing the order of dis-affiliation. The record also indicates that even, written statement had not been filed on behalf of the respondent-Board.

Learned senior counsel for the applicant has raised two issues; (a) the record of the respondent-Board shows that the process for inviting applications for affiliation for the academic session 2019-2020 had been initiated well in time and that inspections were also conducted to ensure that time limit laid down in **Parshavanath Charitable Trust and**

others Vs. All India Council for Technical Education and others, 2013(3) SCC 385, was adhered to. Correspondence of the respondent-Board has been annexed alongwith review application in support of the argument. Delay was caused only because, the writ petitioners had sought re-inspection after deficiencies were intimated to it on 4.4.2019. The request was accepted and re-inspection was conducted on 31.5.2019, whereafter, some time was spent in processing the result thereof; (b) The judgment in Nancy College of Education (supra), is distinguishable and not applicable to the facts of this case.

Neither of the aforementioned grounds is available for review. The correspondence relied upon by the respondent-Board was available with it, but was not produced before the Court at the time the writ petition was argued. Thus, the respondent-Board has to suffer for its lethargy.

Assuming that the judgment in Nancy College of Education (supra), is not applicable in the facts and circumstances of this case, the judgment and order dated 17.9.2019 is rendered erroneous. It is, however, not an error apparent on the record and does not entitle a party to seek review.

The review applications have no merits and are dismissed.

A photocopy of this order be placed on the file(s) of other connected case(s).

(DAYA CHAUDHARY)
JUDGE

(SUDHIR MITTAL)
JUDGE