

CWP No. 34041 of 2019

Date of Decision: February 10, 2020

Meenakshi College of Education

.....Petitioner

versus

Ch. Ranbir Singh University and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sehajbir Singh, Advocate
for the petitioner

Mr. Kuldeep Sheoran, Advocate for
Mr. Arun Khatri, Advocate
for respondents No. 1 and 2

Sudhir Mittal, J. (Oral)

The petitioner was dis-affiliated vide order dated 11.07.2019. Vide order dated 16.10.2019 passed by this Court in CWP No. 20788 of 2019, the order of dis-affiliation was set aside on the ground that the material relied upon while passing the said order was not supplied to the petitioner. Thereafter, order dated 14.11.2019 had been passed maintaining the order of dis-affiliation on the basis of an inspection report dated 22.07.2018.

Learned counsel for the petitioner submits that the inspection report dated 22.07.2018 was already on record when this Court passed order dated 16.10.2019 setting aside the order of dis-affiliation dated 11.07.2019. Thus, reliance upon the said inspection report was misconceived and illegal. The respondent should have taken into consideration the objections filed by the petitioner after the material was supplied to it and not having done so, the order is vitiated.

Learned counsel for respondents No. 1 and 2 submits that no infrastructure is available in the petitioner – College and the same is reflected in the inspection report dated 22.07.2018. Thus, the petitioner has to be dis-affiliated. He, however, admits that the objections filed by the petitioner have not been referred to in the impugned order. He states that a fresh order shall be passed after taking objections of the petitioner into consideration.

The writ petition is, accordingly, allowed and impugned order dated 14.11.2019 (Annexure P-21) is set aside with liberty to respondent No. 1 to pass a fresh order after taking into consideration the objections filed by the petitioner.

February 10, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No