

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

Sr. No.116

**CM Nos.12309 & 12310-CWP-2021 in/and
Civil Writ Petition No.16126 of 2021
Date of Decision : September 06, 2021**

Monu Batra and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Abhinav Aggarwal, Advocate, for the petitioners.

SUDHIR MITTAL, J. (ORAL)

CM-12310-CWP-2021

This is an application for placing on record amended synopsis.

The application is allowed and amended synopsis is taken on
record.

CM-12309-CWP-2021

The application is allowed and main case is taken on board.

CWP-16126-2021

The petitioners' grievance is that respondent No.6-school is charging more fee than that mentioned in Form No.6 submitted by it. Complaint dated 01.04.2021 was made before the C.M. window upon which vide order dated 16.04.2021, the District Education Officer-respondent No.3 directed the Block Education Officer-respondent No.5 to submit his report. Upon submission of the report, respondent No.3 wrote to the Director General Secondary Education, Haryana vide communication dated 12.05.2021 to take appropriate action against respondent No.6-school. No action has allegedly been taken till date.

**CM Nos.12309 & 12310-CWP-2021 in/and
Civil Writ Petition No.16126 of 2021**

Counsel for the petitioners was asked to refer to the relevant Rule contained in the Haryana School Education Rules, 2003 (hereinafter referred to as the Rules) under which the Director General Secondary Education, Haryana can take action against respondent No.6-school on the allegation that it is charging excess fee, however, the learned counsel has not been able to do so.

Vide Rule 158-A, Fee and Fund Regulatory Committee is provided for entertaining complaints regarding charging of excess fee. The said Committee is statutorily required to complete its proceedings within 60 days from the receipt of the complaint and issue necessary directions in case it finds that over charging is being done. It can also recommend withdrawal of the recognition/affiliation of the school. The actions taken by the 3rd respondent and recommendations made by it appear to be beyond the Rules. Thus, no directions can be issued in this writ petition. The same is dismissed.

The petitioners would, however, have liberty to approach the Fee and Fund Regulatory Committee for necessary relief, if so advised.

September 06, 2021
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No