

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

Sr. No.113

CWP-26613-2021 (O&M)

Date of decision : 05.01.2022

Surender Bhati

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Nafeesh Ahmed, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner was running a school, the building of which was sold by the Bank-respondent No.5, in exercise of its powers of recovery of loan amount. Respondent No.6 was the auction purchaser and has since started running school therein after obtaining the necessary permissions/clearances. The case of the petitioner is that the auction sale is under challenge before the Debts Recovery Tribunal and thus, there is litigation pending. According to the Haryana School Education Rules, 2003 (specifically Rule 30 (1) (a-xxiii), recognition cannot be granted, if litigation is pending. Thus, legal notice dated 18.10.2021 (Annexure P-5) has been submitted to withdraw the recognition granted, but no action has been taken till date.

Notice of motion to respondents No.1 to 4 only.

Mr. Rajneesh Chadwal, AAG, Haryana, accepts notice and waives service.

Considering the nature of the order being passed, no reply is necessary.

The writ petition is disposed of with a direction to respondent No.2 to decide the pending legal notice dated 18.10.2021 (Annexure P-5) in accordance with law by passing a speaking order within eight weeks from the date of receipt of certified copy of this order.

(SUDHIR MITTAL)
JUDGE

05.01.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No