

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(107)

CM-20634-CWP-2023 in/and
CWP-1673-2023
Date of decision: - 19.12.2023

Hari Bhoomi Sr. Sec. School, Jind

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rohit Mittal, Advocate, for the applicant-petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

CM-20634-CWP-2023

1. Present application has been filed under Order IX Rule 9 of the Code of Civil Procedure, 1908 seeking restoration of the main petition, which has been dismissed for non-prosecution on 29.11.2023.

2. For the reasons mentioned in the application, the same is allowed. The order dated 29.11.2023 is recalled and the main writ petition is restored to its original number.

CWP-1673-2023

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant permanent recognition to the petitioner.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, he would give a detailed representation to respondent No.1-State and prays that at this stage, he would be satisfied in case competent authority of respondent No.1 would consider the said representation, in accordance with law, in a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has submitted that the competent authority of respondent No.1-State would consider the said representation in accordance with law within a period of eight weeks from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a detailed representation to respondent No.1-State within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioner, competent authority of respondent No.1-State would consider the same within a period of eight weeks from the date of submission of the said representation and in case after considering the said representation, competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him as expeditiously as possible. In case competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of eight weeks.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1-State would consider and decide the matter independently, in accordance with law.

December 19, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No