

255

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

CWP-5318-2022 (O&M)
Date of decision : 07.02.2023

R.S.D. Saraswati Senior Secondary School

...Petitioner

Versus

Board of School Education, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pankaj Maini, Advocate for the petitioner.

Mr. K.K. Gupta, Advocate for respondent Nos.1 and 2.

Mr. Rajneesh Chadwal, AAG, Haryana, for respondent No.3.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of any writ, order or directions especially in the nature of certiorari for setting aside the order dated 14.03.2022 passed by respondent No.2, vide which, the affiliation of the petitioner-school has been withdrawn for the current academic session.

Learned counsel appearing on behalf of respondent Nos.1 and 2 has submitted that in the present case, the petitioner-school only had temporary recognition and affiliation upto 31.03.2022 and the said period has elapsed and thus, the present Civil Writ Petition has been rendered infructuous.

Learned counsel for the petitioner has submitted that the present Civil Writ Petition be disposed of as having been rendered infructuous but the petitioner be granted an opportunity to apply for temporary recognition for the year 2023-24 and respondents be directed to consider the same, in accordance with law. It is further submitted that the said consideration be done within a

period of 10 days from the date the petitioner applies for temporary recognition/affiliation.

Learned counsel for respondent Nos.1 to 3 have submitted that in case, any such application for temporary recognition/affiliation is filed by the petitioner then the same would be considered in accordance with law within a period of 10 days from the date of said application.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with the following observations:-

- 1) The petitioner would move an application before respondent No.3 for temporary recognition for the academic year 2023-24. On receipt of the said application, respondent No.3 would take a decision on the said application in accordance with law within a period of 10 days from the date of receipt of the same.
- 2) In case, respondent No.3 grants temporary recognition to the petitioner, then, the petitioner would apply before respondent Nos.1 and 2 for temporary affiliation for the academic session 2023-24.
- 3) Respondent Nos.1 and 2 are then, directed to decide the said application for temporary recognition in accordance with law within a period of one week from the date of receipt of the said application.

The amount of Rs.1 lac deposited by the petitioner with the Registry would be returned to the petitioner.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

07.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No