

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5594-2023

Date of decision : 20.03.2023

St.Convent School

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present:- Mr.S.K.Garg Narwana, Senior Advocate with
Mr.Mukesh Rao, Advocate for the petitioner.

Ms.Upasana Dhawan, AAG, Haryana for respondents no.1 to 5.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned notice dated 24.05.2021 and notice dated 01.02.2022 (Annexures P-1 and P-3). A further prayer has been made in the present writ petition for directing the respondents to consider the representation dated 24.09.2021 (Annexure P-12) as well as representation dated 15.06.2020 and 17.11.2021 (Annexures P-8 and P9) respectively.

Learned counsel appearing for the State, on instructions of Ms.Neetu, Legal Assistant in the office of DEEO, Rewari, has submitted that with respect to the first prayer made by the present petitioner, a civil suit was filed and a revision petition was also filed and during the pendency of the revision petition, notice dated 24.05.2021 (Annexure P-1) and the subsequent notices have been suspended.

Learned senior counsel for the petitioner has submitted that in view of the above, the petitioner only presses the second prayer made and

would be satisfied in case the Director, Elementary Education-respondent no.2 is directed to look into the representation dated 24.09.2021 (Annexure P-12) and also the representations dated 15.06.2020 and 17.11.2021 (Annexures P-8 and P-9) and pass a speaking order on the same within a period of six weeks from the date of receipt of certified copy of the present order.

Learned State counsel has submitted that respondent no.2 would consider the abovesaid representations and pass a speaking order on the same within a period of six weeks from the date of receipt of the certified copy of the present order.

Keeping in view the above said facts and circumstances, the present writ petition is disposed of with a direction to respondent no.2 to look into and consider representation dated 24.09.2021 (Annexure P-12) as well as the representations dated 15.06.2020 and 17.11.2021 (Annexures P-8 and P-9) and decide the same by passing a speaking order on the same within a period of six weeks from the date of receipt of certified copy of the present order. In case respondent no.2 comes to the conclusion that the petitioner is entitled to any relief on the same, then the necessary relief would also be granted within a period of two months from the date of the said decision.

It is made clear that this Court has not opined on the merits of the case and respondent no.2 would decide the representations independently, in accordance with law.

(VIKAS BAHL)
JUDGE

March 20, 2023
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No