

251

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

CWP-9204-2021

Date of decision : 01.03.2023

Vaibhav Kapoor

...Petitioner

Versus

Block Education Officer, Gurugram and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana
for respondent Nos.1 to 5 and 7.

Ms. Paramjeet Kaur, Advocate for
Mr. Lalit Kumar Yadav, Advocate for respondent No.6.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ of prohibition and other appropriate writ for quashing the proceedings initiated by respondent Nos.1 to 4 and 6 against the petitioner.

On 29.04.2021, a Coordinate Bench of this Court was pleased to issue notice of motion. Relevant portion of the said order is reproduced hereinbelow:-

“Counsel for the petitioner inter alia would contend that on complaint having been made by respondent No.6, who is a parent of one of the students in Ajanta Public School, Sector

31, Gurugram, Haryana, the petitioner herein was put to harassment on the said complaint at the hands of five different authorities. He would further contend that the petitioner has replied to all the notices that have been sent by various respondent authorities. It is prayed that since the complaint is one, let one of the authorities take cognizance of the said complaint.

Notice of motion.

Mr. Narinder Singh Behgal, AAG, Haryana, who is present through the medium of video conferencing, accepts notice for the respondents and seeks time to file reply.

Adjourned to 22.09.2021.

In the meantime, proceedings against the petitioner pending before respondents No.2 to 5 are stayed, however, the petitioner would continue to put in appearance before respondent No.1 as and when called.

Sd/-(JAISHREE THAKUR)

JUDGE

April 29, 2021”

It is stated by learned State Counsel, on instructions from Sudesh Kumar, Block Education Officer, Gurugram that main grievance of the petitioner in the present case was that complaint has been given by respondent No.6 to six persons and the proceedings have been initiated by the said persons and it was stated by the petitioner that the said complaint could be pursued only by one of the authorities and not by all six and accordingly, the proceedings before respondent Nos.2 to 5 have been stayed and the one before respondent No.1 was ordered to be continued.

Learned State Counsel has pointed out that only proceedings before the Block Education Officer, Gurugram (respondent No.1), on

instructions from respondent No.1, would continue in accordance with law and other proceedings before respondent Nos.2 to 5 would not be continued and thus, in view of the same, the prayer made by the petitioner has been accepted and the present Civil Writ Petition has been rendered infructuous.

Today, no one has put in appearance on behalf of the petitioner in order to rebut the abovesaid aspect.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with observations that the proceedings before respondent No.1 would continue and respondent Nos.2 to 5 would not proceed with respect to the complaint which respondent No.1 is seized of.

01.03.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No