

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

CWP-13833-2022

Date of decision : 13.12.2023

Skylark Public School

... Petitioner

Versus

The State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Naveen Singh Panwar, DAG, Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari to set aside the letter dated 13.05.2022 (Annexure P-12) and show cause notice issued by respondent no.4 on 08.06.2022 (Annexure P-14) by relying upon the letter dated 13.05.2022 (Annexure P-12) issued by respondent no.2 for withdrawal of recognition of the petitioner school on the ground that the society running the petitioner school has failed to tender the duly registered extended lease deed from the concerned revenue officials of Gurugram.

2. The main plea in the present writ petition is that the petitioner is being asked to submit a registered extended lease deed from the concerned revenue official without considering the aspect that as per the minutes of meeting dated 02.05.2012/ 08.05.2012 (Annexure P-4), the

Deputy Commissioner, Gurugram has restrained the Tehsildar, Gurugram

to registering any property within 900 meter of the restricted area around the ammunition depot and as per the petitioner, the school is situated in that area.

3. Learned State counsel has referred to letter (Annexure R-2) issued by the District Elementary Education Officer, Gurugram to the petitioner school. The relevant portion of which is reproduced hereinbelow:-

“.....Therefore, according to the attestation report received by this office from the Tehsil office under the District Revenue Officer, the Lease Deed of the land area related to your school cannot be registered.

Therefore, it is written to you that when the orders are issued by the government and the Hon’ble Court and the District Administration regarding the registration of the Lease Deed, then immediately after getting the Pattanama registered with the concerned department, inform this office without delay. Sent for information and further action.

D.A- Letter of Tehsildar

*Sd/-
District Elementary Education Officer,
Gurugram.”*

Learned State counsel has submitted that it has been found that the lease deed of the land area related to the petitioner school could not be registered, thus, it has been mentioned that as and when the orders are issued by the government or by the Court and or by the District Administration with respect to registration of lease deed in the said area, then the petitioner would get the lease deed registered and submit the same to the concerned department. It is further submitted that in view of the said stand, the present petition has been rendered infructuous.

4. Learned counsel for the petitioner, in view of the said stand taken in the letter (Annexure R-2), has submitted that the present petition has been rendered infructuous and be disposed of as such and has prayed that liberty be granted to the petitioner to file a fresh petition in case any cause survives.

5. In view of the above, the present petition is disposed of as having been rendered infructuous with the aforesaid liberty. In case any such petition is filed, then the same would be considered independently in accordance with law.

(VIKAS BAHL)
JUDGE

December 13, 2023.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No