

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21923-2016
DECIDED ON: 20.07.2023

RAM AVTAR SAINI

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. D.S. Rawat, Advocate
for the petitioner.

Mr. Gaurav Jindal, Addl. AG, Haryana.

Mr. J.K. Khetarpal, Advocate for respondent No.4.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India seeking a writ in the nature of certiorari for quashing the impugned order dated 13.05.2016 (Annexure P-10) vide which the review petition filed by Management of the respondent No.4 was entertained without having any jurisdiction of review to its own order.

Learned counsel for the petitioner has drawn attention of this Court to a judgment rendered in CWP-8510-2008 titled as Aas Mohd. vs. State of Haryana and Others, whereby Haryana Education Rules 2003 stands struck down vide its judgment dated 03.09.2008. Relying upon the said judgment, the prayer has been made to quash the order dated 13.05.2016 (Annexure P-10).

Faced with the situation, learned State counsel on the previous date sought time to get the instructions and argue the matter, who fairly today before this Court concedes that Rule 111 of Haryana Education Rules, 2003 has been struck down vide judgment dated 03.09.2008, but seeks a liberty in the light of the same

judgment that the approval for the same can be sought, thereafter, the respondent No.4 approach the Director Education seeking approval for the dismissal again to move a fresh petition in terms of the judgment.

In the light of the above, the order dated 13.05.2016 (Annexure P-10) is hereby quashed.

Petition stands disposed.

(SANDEEP MOUDGIL)
JUDGE

20.07.2023

Meenu

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