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

CWP-25693-2022

Date of decision : 20.02.2023

Haryana Public School

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Ms. Upasana Dhawan, AAG, Haryana
for respondent Nos.1 to 4.

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, orders or directions especially in the nature of certiorari for setting aside order passed by respondent No.2 on 12.10.2022, according to which, the request of the petitioner school to including its name in the list of existing schools, has been rejected.

On 08.12.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“CM-18388-CWP of 2022

Allowed as prayed for.

Correct copy of Annexure P-6 is taken on record.

*The Registry is directed to replace existing Annexure P-6
with the said document.*

CWP No. 25693 of 2022

Vide impugned order dated 12.10.2022, the request of the petitioner to permit admission of students and to function as a school has been rejected on the ground that it is running illegally having been closed in the year 2019-20. This finding has been returned on the basis of report dated 20.09.2022 submitted by the District Elementary Education Officer, Fatehabad.

Learned counsel for the petitioner submits that the finding is perverse.

The submission cannot be accepted unless the report dated 20.09.2022 is perused. Copy thereof is not on record and, thus, learned counsel for the petitioner prays for time.

Adjourned to 14.02.2023.

December 08, 2022

*Sd/-(SUDHIR MITTAL)
JUDGE”*

On 14.02.2023, this Court had passed the following order:-

“Learned State counsel has submitted that the petitioner-school does not fulfill the norms to be included in the list of existing schools and has further submitted that the school was closed for a certain period and although, now it has been reopened but no recognition has been procured by the petitioner-school for the new building. Reliance has been placed upon the letter dated 27.01.2023 issued by the Director Elementary Education Haryana, Panchkula, which is taken on record.

There is a written request for adjournment on behalf of learned counsel for the petitioner on the ground that he is in personal difficulty.

Learned counsel appearing for the petitioner prays for an adjournment to get instructions in the matter.

Adjourned to 20.02.2023.

Last opportunity is granted to the petitioner to argue the matter.”

Learned counsel for the petitioner seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to file a fresh petition after annexing all the relevant documents and after giving full and better particulars.

In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

20.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**