

123

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

CWP-24408-2023

Date of decision: 30.10.2023

Shivam Education Society of India and another

...Petitioners

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vijay Kumar Sheoran, Advocate for the petitioners.

Mr. Vipul Aggarwal, Sr. Panel Counsel
for respondent No.1-UOI.

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 in the nature of mandamus directing the respondents to restore the accreditation granted by National Institute of Open Schooling (NIOS) to the school of petitioner's society i.e., Shivam Senior Secondary School, Lohani, District Bhiwani, Haryana for the course of Academic Study Centre (AI). Further prayer has been made for grant of permission to the said school to perform all the academic and administrative functions including acting as Study Centre and Examination Centre as per guidelines (Annexure P-3) issued by NIOS.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners in the present writ petition, the

petitioners had given representation dated 20.09.2023 (Annexure P-5) to respondent No.2 and they would be satisfied at this stage, in case, the said respondent No.2 is directed to consider the said representation dated 20.09.2023 (Annexure P-5) in a time bound manner and in case, the pleas raised by the petitioners are found to be meritorious then to grant necessary relief in accordance with law.

3. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.2 to consider representation dated 20.09.2023 (Annexure P-5) in accordance with law within a period of six weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioners are found to be meritorious then respondent No.2 would grant necessary relief, in accordance with law and in case, respondent No.2 is of the opinion that the pleas raised by the petitioners are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

4. This Court has not opined on the merits of the case and respondent No.2 would consider the case of the petitioners independently, in accordance with law.

30.10.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**