

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

**CWP No.27728 of 2023
Date of decision : 11.12.2023**

Sarve Sampardya Sadhu Mandal, Patiala **Petitioner**

Versus

State of Punjab and others **Respondents**

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for restraining the respondents from taking any action against the petitioner Institution which are part of the petitioner in illegal manner in defiance to the basic mandate of law especially in the light of direction issued on 10.04.2015 in LPA No.541 of 1994 issued by this Court (Annexure P-7) and the order of Hon'ble Supreme Court dated 20.07.2015 (Annexure P-11) and for restraining the respondents from taking any coercive method against the members of the petitioner.

Learned counsel for the petitioner has submitted that the respondent-State is proceeding against the petitioner totally in violation of the statutory provisions of the judgment dated 10.04.2015, which has been passed in LPA No.541 of 1994. He submits that the issue is pending adjudication before the Hon'ble Supreme Court as well. He submits that the petitioner is prejudiced by the order dated 08.05.2022 (Annexure P-10).

He submits that for the redressal of this grievance, the petitioner has already filed representation before the respondents but no action has been taken on the same by the respondents till date.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 to 3-State. She on instructions has submitted that the present petition is not maintainable. She submits that even otherwise the letter dated 08.05.2022 (Annexure P-10) is not addressed to the petitioner and there is no representation made by the petitioner as contended before this Court. She further submits that if the petitioner files any such representation, the same would be considered and decided by the respondents in accordance with law.

In view of the submissions made by learned counsel for the parties, the present petition is disposed of with liberty to the petitioner to file representation for the redressal of his grievance within a period of ten days from today. If any such representation is filed before respondent No.3, then respondent No.3 would decide the same in accordance with law within a period of eight weeks from the date of its filing keeping in view the submissions made by learned counsel for the petitioner especially the judgment dated 10.04.2015 (Annexure P-7) and order of the Hon'ble Supreme Court (Annexure P-11) as he has contended that the same are applicable in the present case.

11.12.2023

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(RAJESH BHARDWAJ)
JUDGE

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