

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2096-2024
Date of decision : 01.02.2024

Rajvir Kaur (minor) through her father

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Satpreet Grewal Kapila, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G.Punjab.

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 respondent no.4 to allow the petitioner to appear and complete her 7th grade examinations.
2. Learned counsel for the petitioner has submitted that the petitioner has utmost respect and regard for her teachers and has stated that the petitioner would not commit any act which spoils the discipline of the school. Learned counsel for the petitioner has submitted that the petitioner is not being allowed to attend regular classes and on account of the same, her future has been put in jeopardy. It is submitted that the petitioner does not wish to take any action against any person including respondent no.5 but only prayed that she be permitted to attend the school. It is further submitted that the petitioner has already given representation dated

19.01.2024 (Annexure P-4) and respondent no.3 be directed to consider the same expeditiously as possible, in accordance with law and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that respondent no.3 would consider the said representation and decide the same within a period of two weeks from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.3 to consider the representation dated 19.01.2024 (Annexure P-4) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of two weeks from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.3 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 01, 2024
Davinder Kumar

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