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

CWP-9878-2024
Date of decision: 01.05.2024

Sarswati Educational and Charitable Society ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Parul Saini, Advocate for
Mr. Deepak Singh Saini, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondent to decide the application filed by the petitioner for grant of interim relief filed along with the appeal on 23.03.2024/27.03.2024 (Annexures P-2 to P-4).
2. Learned counsel for the petitioner has submitted that the petitioner has filed an appeal under Rule 31 Sub-Rule 3 of the Haryana School Education Rules, 2003 against the order dated 11.03.2024 vide which permission granted to the petitioner on 07.08.2023 has been cancelled and along with the said appeal, the petitioner has also filed an application dated 23.03.2024 (Annexure P-2) for interim directions. It is further submitted that although a period of more than one month has elapsed but the said appeal has not even been fixed for preliminary hearing and thus, a limited prayer has been

made before this Court that at least application for interim directions be listed and be decided in a time bound manner.

3. Learned State Counsel has submitted that in case the abovesaid appeal along with application has not been listed then the office of the Appellate Authority would get the matter listed within a period of one week from today in case the appeal is complete in all aspects and the application dated 23.03.2024 would be considered along with the appeal for preliminary hearing and order on the said application would be passed within a period of 10 days thereafter.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to the office of Appellate Authority before whom the appeal (Annexure P-4) is pending to list the appeal before the Appellate Authority within a period of one week from today in case the same is complete in all aspects and the Appellate Authority is further directed to take up the matter for preliminary hearing and consider the prayer of the petitioner for interim directions as prayed in the application dated 23.03.2024 (Annexure P-2) and pass appropriate orders on the same within a period of 10 days from the date of listing of the said appeal.

5. This Court has not opined on the merits of the case and the Appellate Authority would consider the case of the petitioner independently, in accordance with law.

01.05.2024

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No