



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-11155-2024

Date of decision : 14.05.2024

Jaswinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Gurvesh Singh Khokhar, Advocate
for the petitioner.

Mr.T.P.S. Walia, AAG, 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 certiorari for quashing of impugned letter dated 15.09.2023 (Annexure P-7). A further prayer has been made for issuance of a writ in the nature of mandamus directing respondents no.3 and 4 to issue school leaving certificate of the son of the petitioner.

2. Learned State counsel has pointed out that the Ministry of Law and Justice vide notification dated 20.01.2006 has notified The Commissions for Protection of Child Rights Act, 2005 and under the said Act has provided for Constitution of State Commissions and National Commission for Protection of Child Rights and Children's Courts. It is

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submitted that the functions of the Commission as have been provided in Section 13 would include looking into all the matters related to children and the present issue would also be covered under the functions of the Commission and has further submitted that in case an appropriate petition is filed before the State Commission, the same would be considered by the State Commission expeditiously, after hearing all the necessary parties concerned.

3. Learned counsel for the petitioner, in view of the same, seeks to withdraw the present petition with liberty to institute an appropriate petition under the Commissions for Protection of Child Rights Act, 2005 before the State Commission and has prayed that in case any such petition is instituted, then the same be decided, as expeditiously as possible.

4. Keeping in view the above said facts and circumstances, the present petition is dismissed as withdrawn with liberty to institute an appropriate petition under the Commissions for Protection of Child Rights Act, 2005 before the State Commission. In case of his doing so, the State Commission is requested to decide the same, as expeditiously as possible, after hearing all the necessary parties concerned.

(VIKAS BAHL)
JUDGE

May 14, 2024
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No