

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-13164-2023(O&M)

Date of decision : 14.03.2024

D.M. College Managing Committee, Moga

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Dr.Anmol Rattan Sidhu, Senior Advocate with
Mr.Raghav Gulati, Advocate and
Ms.Sandhya Gaur, Advocate
for the petitioner.

Mr.Arjun Sheoran, DAG, Punjab.

Ms.Simranjit Kaur Gill, Advocate
for respondent no.4.

Mr.Manpreet Singh, Advocate
for respondent nos. 5 to 7.

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 order dated 18.05.2023 (Annexure P-15) issued by respondent no.4.

2. During the course of hearing, it has been brought to the notice of this Court that an appeal against the order 24.04.2023 (Annexure P-13) of the District Education Officer, Moga, has been filed by the parents association under Section 15 of the Punjab Regulation of Fee of Un-aided Educational Institutions Act, 2016 before the appellate authority and the

same is pending. It has been agreed by learned senior counsel for the petitioner and the counsel appearing for the respondents that the present petition be disposed of in agreed terms, which are that the petitioner should authorise their representative to appear before the appellate authority where the appeal of parents association is pending, within a period of 10 days from today and the appellate authority be directed to decide the said appeal, as expeditiously as possible, preferably within a period of 8 weeks from the date the petitioner appears before the said authority and the said appeal be decided after granting due opportunity of hearing to all the parties concerned and de hors the observations made in the order dated 18.05.2023 and the order dated 18.05.2023 be set aside. It is further agreed that the parents association be granted liberty to move an application for making interim prayers / directions before the appellate authority which be considered by the appellate authority independently, in accordance with law.

3. In view of the above said fact and circumstances and the joint prayer made on behalf of the petitioner and the respondents, the present writ petition is disposed of in the following terms:-

- i) The petitioner through its authorized representative would appear before the appellate authority where the appeal of the parents is pending, within a period of 10 days from today.
- ii) The appellate authority would decide the appeal filed by the parents as expeditiously as possible, preferably within a period of 8 weeks from the date the petitioner appears before the said authority.
- iii) The appellate authority would decide the appeal, in

accordance with law, after granting due opportunity of hearing to all the parties concerned and dehors of the observations which have been made in the order dated 18.05.2023 and the said order dated 18.05.2023 stands set aside.

iv) It would be open to the parents association to move an application for interim prayer / direction, which would be considered independently, in accordance with law.

(VIKAS BAHL)
JUDGE

March 14, 2024
Davinder Kumar

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