

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

223

CWP No. 29265 of 2017
Date of decision: 21.02.2024

Om Parkash Garg and ors. ...Petitioners
VS.

State of Punjab and ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vikas Chatrath, Advocate
for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab

AMAN CHAUDHARY. J. (Oral)

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is for quashing Punjab Government circular dated 02.08.2017 (Annexure P-10) as well as clarification dated 18.09.2017 (Annexure P-11).
2. Learned counsel for the petitioners submit that the present petition has been rendered infructuous on account of averments made in para No. 8 and 9 of the written statement dated 06.08.2019, which reads thus:-

“8. That the contents of this para 8 have already been explained in forgoing paras of the preliminary submissions. It is further submitted that the instructions dated 13.06.2012 have been withdrawn vide instructions dated 27.06.2017 in compliance of orders dated 22.10.2013 in CWP No. 25733 of 2012. That in compliance to the above direction of this Hon'ble Court and in similarly situated matters, the department passed a speaking order dated 20.07.2017 issued by the office of Director of Public Instruction (Secondary Education) i.e. respondent no.2, in compliance with the orders passed in the cases of AP Sharma and Karanvir Singh and the Finance Department notification dated 27.06.2017. A copy of the speaking order dated 20.7.2017

is annexed as Annexure-R-14 whereby directions were issued to all District Education Officers (Secondary) Punjab and District Education Officers (Elementary) Punjab for meticulous compliance.

9. That it is submitted that the contents of Para 9 are general, hence need no reply. The Director Public Instructions (SE), Punjab while acting upon the instructions of Finance Department dated 27.06.2017 and the orders of this Hon'ble Court in CWP NO. 25733 of 2012 dated 22.10.2013, issued a speaking order vide Office Order No. 21/86-2016 B (3) dated 20.07.2017 (Annexure R-14).

3. Learned counsel would submit that the petitioner be granted permission to file a representation, in case any grievance still subsists, which may be decided in a time bound manner.

4. Learned State counsel has no objection to the limited prayer made.

5. In view of the aforesaid, the present writ petition is disposed of as having been rendered infructuous. However, in case the petitioner submits a representation, as stated above, within a period of one month, the respondents are directed to decide the same expeditiously, preferably within a period of three months from the date of its receipt.

(AMAN CHAUDHARY)
JUDGE

21.02.2024

G Arora

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No