2024:PHHC:111971

**123**

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

**CWP-21033-2024**
**Date of decision: 28.08.2024**

**AVAYA KATYAL THROUGH HIS FATHER/NATURAL GUARDIAN**
**...Petitioner**

**VERSUS**

**STATE OF PUNJAB AND OTHERS**
**...Respondents**

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present:- Mr. Vishnu Dutt, Advocate
for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondent No.4-School to admit the ward of the petitioner in Class-XI as the ward of the petitioner has been denied admission in Class-XI.

2. Learned counsel for the petitioner submitted that the son of the petitioner was studying in the respondent No.4-School, which is a Convent School right from his childhood and he completed his Class-X from the same school as well but when he was to be given admission in Class-XI, the same has been denied to him. He further submitted that the reason for the denial was that the behaviour of the son of the petitioner was not good and on the basis of which, various complaints were received by the respondent-School. He further submitted that such a reason cannot become a ground for denial of admission to

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the son of the petitioner in Class-XI and therefore, a direction is required to be issued to the respondent No.4-School to admit the son of the petitioner in Class-XI.

3. I have heard the learned counsel for the petitioner.

4. It is a case where as per Annexure P-4 dated 09.07.2024, which is a letter written by the Principal of the respondent-School, various complaints were received against the son of the petitioner at different point of time and the same were gone into and detailed enquiry was also conducted and various reports are attached in the form of annexures. Para No.7 of the aforesaid letter written by the Principal of the respondent-School also shows that so far as the behaviour of the son of the petitioner in the class pertaining to completion of assigned work and other things is concerned, there were several complaints made by his own classmates especially the girls who used to feel uncomfortable due to his harsh language and most of the girls students have also repeatedly complained to the class teacher regarding his filthy behaviour. Various other aspects were also seen by the Principal and it was ultimately decided not to give admission to the son of the petitioner in Class-XI. On the basis of the aforesaid letter written by the Principal to the State Government as well, an enquiry was also conducted by the Principal of the Government School i.e. Government Senior Secondary School, Ladhowal, Ludhiana, who also gave a report vide Annexure P-5 dated 11.07.2024, in which it is stated that the Principal of the aforesaid Government School conducted an enquiry and came to the conclusion that the reason for not giving admission to the son of the petitioner in Class-XI was indiscipline on part of the son of the petitioner, for not completing the work

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assigned to him by the school teachers and not behaving properly with fellow students etc. and it is also so stated in the aforesaid report based on various annexures that the complaints show indiscipline of the son of the petitioner.

5. The prayer of the petitioner is that the son of the petitioner should be granted admission in Class-XI. However, on the other hand, it was because of the constant indiscipline and also use of filthy language by the son of the petitioner not only with his male classmates but also with the girl students that the respondent-School thought it fit not to give admission to the son of the petitioner in Class-XI.

6. This Court is of the considered view that no ground is made out for interference for invoking the extraordinary jurisdiction under Article 226 of the Constitution of India. It is the prerogative of the respondent-School to either grant admission or not to a student based on its own system of discipline. It is not a case that due to some arbitrary reasons or any *mala fide* reasons that the son of the petitioner has been denied admission in Class-XI but it was because of the aforesaid reasons that he has been denied admission.

7. Consequently, the present writ petition being devoid of any merit, is hereby dismissed.

**(JASGURPREET SINGH PURI)**
**JUDGE**

**28.08.2024**
**Chetan Thakur**

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

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