



CWP-4726-2021 (O&M)
CWP-4727-2023 (O&M)

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

(108)

Date of Decision : 16.02.2026

1. CWP-4726-2021 (O&M)

Bhagwant Singh Bajwa and another ...Petitioners

Versus

Dr. Augstin Pinto and others ...Respondents

2. CWP-4727-2023 (O&M)

Bhagwant Singh Bajwa and another ...Petitioners

Versus

Dr. Augstin Pinto and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Navjeet Singh, Advocate
 Mr. Ajay Chauhan, Advocate
 for the petitioner(s) in both the cases.

Mr. D.S. Patwalia, Sr. Advocate with
 Mr. Bikramjit Singh Patwalia, Advocate
 for respondents No.1 to 3.

Mr. Kannan Malik, Advocate for respondent No.4.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Both the instant writ petition(s) are amenable to be decided together, therefore, with the consent of the parties, same are taken up together for adjudication.



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2. This Court, vide order dated 13.02.2026, had passed the hereinafter extracted order, upon the instant writ petition(s) :-

“Apart from the other grievances, the principle grievance, which has been raised before this Court, at this stage, has arisen from the order dated 19.01.2021 (Annexure P-14), wherethrough, the application seeking implementation of order dated 10.12.2019 (Annexure P-4), and letter dated 25.09.2020 (Annexure P-9), have been closed without ensuring its compliance. The said order was passed under the signatures of Under Secretary School Education, on approval from the Education Minister, Punjab.

Before this Court, test the legality of the order (supra), the first and foremost issue, which needs clarity is, as to whether, the said order was passed with the approval of Secretary School Education; secondly, as to whether, the Under Secretary School Education can pass an order directly after taking approval from the Education Minister.

In this view of the matter, let complete original file noting appertaining to order dated 19.01.2021 (Annexure P-14), be placed before this Court, on the next date of hearing.

List on 16.02.2026.

*To be shown at the top of the **urgent list**.*

Photocopy of this order be placed on the connected case file, as numbered above.”

3. In deference to the directions (supra), issued by this Court, through an affidavit dated 16.02.2026, filed by Joint Secretary to Govt. of Punjab, Department of School Education (respondent No.9), wherethrough, the relevant extract of complete original file noting appertaining to order dated 19.01.2021 (Annexure P-14), has been placed on record today in the Court.



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Copy whereof, has been supplied to learned counsel for the petitioner(s), as well as, learned senior counsel for respondents No.1 to 3, representing the school.

4. Upon perusal of the file, this Court finds anomalies and the manner, in which it has travelled *inter se* department, and the approach in which the impugned order has been passed by the Under Secretary School Education, Punjab. Therefore, pre lunch session, a specific direction was given by this Court, to ensure the presence of Secretary, School Education, Punjab, in order to explain the abovementioned procedure, in way, which the impugned order has been passed.

5. Post lunch, Ms. Sonali Giri, IAS, Secretary, School Education, Punjab, has caused appearance, and has made an endeavour to satisfy this Court that the impugned order has rightly been passed by the authorities concerned. Confronted with the Rules of business and standing orders, as adopted by the Department of Education, she fairly submits that they would pass afresh order, in accordance with rules and regulations. She further admits that there is an infraction of principle of natural justice, and assures this Court that fresh order will be passed in compliance with the principle of natural justice.

6. In view of the specific statement suffered by the Secretary, School Education, Punjab, learned counsel for the petitioners submits that the impugned order dated 19.01.2021 (Annexure P-14), is set aside and the instant *lis* may be remanded back to the Secretary, School Education, Punjab, for its fresh consideration and adjudication by competent authority.

7. With the consensus of the parties concerned, the impugned order



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8. It goes without saying that due opportunity of hearing to all the parties concerned, shall be afforded before passing a fresh decision. In case, either of the party wishes to file a detailed representation, or any reply, liberty shall be granted. An endeavour shall be made to decide the matter by passing a speaking order, within a period of two months from the date of receipt of certified copy of this order.

9. Consequently, the instant writ petition(s) are **disposed of**.

10. Pending applications, if any, stands disposed of accordingly.

11. Photocopy of this order be placed on the connected case file, as numbered above.

(KULDEEP TIWARI)
JUDGE

February 16, 2026
Manpreet

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