

2026:PHHC:074178



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

CWP-10626-2021

Date of Decision: 12.05.2026

SANT RAM

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ankur Jain, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. A.D.S.Jattana, Advocate and
Mr. Charan Jit Sharma, Advocate,
for respondents no.2 to 5.

KULDEEP TIWARI, J.(Oral)

1. This Court vide order dated 21.04.2026, had passed the hereinafter extracted order:-

“1. The petitioner before this Court is the Principal of Government Senior Secondary School, Burj Sidhwan, Malout, District Sri Muktsar Sahib. He is aggrieved by the decision of the Punjab School Education Board in levying a penalty @ ₹2,500/- per student of Class VIII on account of failure to upload the requisite data on the official web portal within the stipulated period.

2. The impugned action is challenged on the ground that the optional subject “Drawing (Art and Craft)” was not displayed on the web portal, due to which the relevant data could not be entered. It is contended that there was no lapse or negligence on the part of the school, and the failure to upload the data was solely attributable to a technical defect in the system. Despite this, the Punjab School Education Board has directed the school to deposit a penalty amounting to Rs.1,65,000/-.

3. Upon issuance of notice, contradictory responses have been filed by the State of Punjab and the Punjab School Education

Board. Mr. Harpal Singh, Under Secretary to the Government of Punjab, Department of School Education, in his affidavit filed on behalf of the State, has stated that, pursuant to deliberations in the Assembly, a decision has been taken to waive the penalty imposed by the Board. The relevant paragraph of his affidavit is extracted hereinbelow:

“2. That it is further submitted that on the basis of letter dated 5.3.2021 of Sh. Sukhjinder Singh Randhawa, Cooperative and Jail Minister, Punjab, which was addressed to the worthy Education Minister, Punjab, matter discussed with the Education Minister during Vidhan Sabha Session and discussion made with the District Education Officers and Principals through Video Conferencing, the Government of Punjab in the Department of School Education vide Memo dated 5/1/2021-5Edu3/2021130/1-2 dated 15.3.2021 issued a letter to the respondent No.2 i.e. Chairman, Punjab School Education Board for exempting the schools for once, from fine imposed by the Punjab School Education Board. It was also written that in future when the schools are written by the Board regarding Registration or uploading the data online, a copy of the same be sent to the Government, so that all the District Education Officers/Principals may be issued strict instructions by the Government to avoid such problems in future.”

4. Conversely, it has been asserted on behalf of the Punjab School Education Board that it functions as an autonomous body, is not bound by the decisions of the State Government, and that its rules do not provide for remission of such penalties. Consequently, the Board continues to insist upon payment of the penalty amount.

5. In the considered opinion of this Court, the contradictory positions adopted by the two authorities warrant the attention of the State Government. Accordingly, the Chief Secretary to the Government of Punjab is directed to examine the matter and file an affidavit specifying whether the decision of the State Government is binding upon, and liable to be implemented by, the Punjab School Education Board. The Chief Secretary shall also examine the rationale behind the imposition of such an exorbitant late fee on students of a government school.

6. The aforesaid affidavit shall be positively filed on or before the next date of hearing.

7. List on 12.05.2026 in the urgent list. ”

2. In deference to the aforesaid order, an affidavit dated 11.05.2026, sworn-in by Mr. K.A.P.Sinha, Chief Secretary, to the Government of Punjab, alongwith order dated 11.05.2026 (Annexure R-1) has been filed, today in Court, with a copy thereof supplied to the counsel opposite. The same is taken on record.

3. By referring to the decision dated 11.05.2026 (Annexure R-1), learned State counsel informs this Court, that the late fee as imposed upon the school concerned, has been waived off.

4. In view of the above, no cause of action survives for the petitioner to maintain the instant writ petition.

5. Accordingly, the instant petition, stands **disposed of**.

6. A photocopy of this order be placed on the file of the connected case.

May 12, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No