



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

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CWP-34442-2024 (O&M)
Date of decision : 12.01.2026

DAV College Trust and Management Society and othersPetitioners

V/S

State of Haryana and othersRespondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. R.S. Cheema, Advocate assisted by
Mr. Rahul Nagpal, Advocate for the petitioner(s).

Mr. Priyavrat Parashar, A.A.G., Haryana.

Mr. Vivek K. Thakur, Advocate for respondent No.4.

NAMIT KUMAR, J. (ORAL)

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Prayer in the instant application filed under Section 151 of CPC is for seeking the permission for withdrawing the order dated 13.12.2024 and to give liberty to respondent No.3/applicant to pass a fresh detailed order.

Notice in the application.

Mr. Rahul Nagpal, Advocate accepts notice on behalf of the petitioner and has no objection to the prayer made in the application.

Consequently, the instant application is allowed and respondent No.3 is permitted to withdraw the impugned order dated 13.12.2024 (Annexure P-8) with liberty to pass fresh detailed order.

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1. The petitioners have filed the instant petition under Articles

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226/227 of the Constitution of India, seeking a writ of certiorari, quashing the impugned order dated 13.12.2024 (Annexure P-8) passed by respondent No.3 without considering the remand order dated 28.06.2024 (Annexure P-7) passed by respondent No.2 under Section 11 of the Haryana Affiliated Colleges (Security of Services) Act, 1979, whereby the order dated 28.02.2023 (Annexure P-5) passed by respondent No.3 was set aside and direction was given to pass an order afresh which should be speaking one considering the merits of the case.

2. While issuing notice of motion on 20.12.2024, the following order was passed :-

“Learned Senior counsel for the petitioners inter alia contends that impugned order dated 13.12.2024 (Annexure P-8) passed by the Director, Higher Education, Haryana, Panchkula, is totally cryptic and non-speaking as no reasons have been assigned in the said order. It has further been submitted that the said order has been passed by respondent No.2 after the matter was remanded by respondent No.1 vide order dated 28.06.2024 (Annexure P-7) to him. He further submits that on the basis of the said order, authorities of the petitioner-College have been ordered to appear before the Chairman, Haryana Scheduled Castes Commission, Panchkula, vide memo dated 13.12.2024 on 24.12.2024 on an appeal filed by respondent No.4. He further submits that although there is a provision of filing a revision petition before respondent No.2 i.e. Additional Chief Secretary to the Government, Haryana, Higher Education Department, Chandigarh, and the petitioner-College shall file the same before the said authority but since on the basis of the impugned order dated 13.12.2024 (Annexure P-8), the petitioners have been



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directed to appear before the S.C. Commission, therefore, they have been compelled to file the instant petition.

Notice of motion.

Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of respondents No.1 to 3 in both the petitions.

Let notice be served upon respondent No.4, returnable on 9.4.2025.

In the meanwhile, operation of the impugned order dated 13.12.2024 (Annexure P-8) in CWP No.34442 of 2024 shall remain stayed.

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

3. Learned counsel for respondent No.4 has filed his power of attorney in the Court which is taken on record.
4. Since the application bearing No.CM-11724-CWP-2025 filed by respondent No.3 seeking permission to withdraw the impugned order dated 13.12.2024 (Annexure P-8) with liberty to pass fresh detailed order has been allowed, the instant petition is disposed of with a direction to respondent No.3 to pass a fresh detailed order after hearing both the parties, within a period of three months from the date of first appearance of the parties before him, in accordance with law.
5. The parties are directed to appear before respondent No.3 on 12.02.2026.

12.01.2026

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No