

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

115

CWP-35355-2025

Date of Decision : February 24, 2026

HARDIK PUBLIC BHALAI MISSION TRUST

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. A.D.S. Jattana, Advocate
for the respondents No.2 and 3.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, the petitioner impugns the orders dated 28.10.2025 and 17.11.2025, principally on the ground that the same have been passed without assigning any reasons, and without due consideration of the circumstance that the petitioner-School remained closed throughout the academic sessions 2021-2024.

2. On 28.11.2025, this Court had passed the following order:-

“Learned counsel for the petitioner submits that since the petitioner-school was closed during the years 2021 to 2025, therefore, it is not required to deposit the fee as demanded by respondents no.2 and 3.

He further submits that the dispute with regard to change of name has now been settled, as the duly sworn-in affidavit has been submitted, and the authority concerned, is now satisfied.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab, accepts notice on behalf of respondent no.1, and waives service.

On an advance notice, Mr. A.D.S.Jattana, Advocate, has caused appearance and accepts notice on behalf of respondents no.2 and 3, and waives service.

They seek time to file a response to the instant petition.

Adjourned to 17.02.2026.

In the meanwhile, the petitioner-school is directed to deposit Rs.83,600/- within a period of two weeks with the Punjab School Education Board (respondent no.2).

Furthermore, when the abovesaid, aforesaid amount is deposited, the portal of the petitioner-school for admission shall be opened, subject to the final outcome of the present writ petition.

Rest of the amount, if any, recoverable from the petitioner-school, is ordered to be stayed till the final decision of the instant petition.”

3. Today, learned counsel for the respondents No.2 and 3 has filed a written statement dated 20.02.2026, which is taken on record, and a copy thereof has also been furnished to learned counsel for the petitioner.

4. Learned counsel for the respondents No.2 and 3 submits that, in compliance with the directions embodied in the hereinabove extracted order, the petitioner-School has deposited an amount of ₹83,600/- with the respondent No.2, consequent upon which login ID has been provided to the School for uploading admissions on the portal.

5. The pivotal issue now warranting adjudication pertains to the validity of the impugned orders dated 28.10.2025 and 17.11.2025. Prior to proceeding to scrutinize the legality thereof, it is apposite to record that the petitioner has approached this Court for the third time. Initially, the petitioner instituted CWP-22758-2025, which was disposed of vide order dated 07.08.2025, directing the respondent No.2- Chairman, Punjab School Education Board, to take a final decision on the petitioner's representation

dated 07.01.2025 within one month of receipt of a certified copy of the said order. Upon the respondent's failure to decide the representation within the prescribed timeframe, the petitioner was compelled to re-access this Court through COCP-5264-2025. However, during the pendency of the said contempt petition, a speaking order dated 15/17.11.2025, in compliance with the order dated 07.08.2025, was passed and placed on record. Accordingly, the contempt proceedings were closed vide order dated 19.11.2025. However, deriving grievance from the speaking order dated 15/17.11.2025, the petitioner has instituted the instant writ petition.

6. This Court has meticulously examined the impugned orders dated 28.10.2025 and 15/17.11.2025. What emerges upon perusal thereof is that prior to passing the order dated 15/17.11.2025, the authority concerned had already, vide a non-speaking order dated 28.10.2025, directed the petitioner-School to deposit a sum of ₹3,37,600/-, inclusive of penalty. The order dated 15/17.11.2025 was passed ostensibly to justify the earlier non-speaking order, and that too by merely recapitulating the facts and referring to the previous order of penalty, without any reasons being assigned. This clearly demonstrates that the authority concerned has neither applied its mind nor assigned any reasons for levying the penalty upon the petitioner-School.

7. Learned counsel for the respondents No.2 and 3 fairly admits the existence of procedural infirmities in adjudicating the petitioner's representation, and submits that the authority concerned shall revisit the matter in its entirety and pass a fresh speaking order, after affording the petitioner due opportunity of hearing. Nevertheless, he contends that the petitioner has shown non-cooperation by failing to appear before the

authority concerned, a fact which has been recorded in the order dated 15/17.11.2025. Therefore, he requests that a specific direction be issued mandating the authorized representative of the petitioner to appear before the authority concerned for the purpose of fresh adjudication.

8. In view of the above, the instant writ petition is **disposed of** with the following directions:-

- (a) Both the impugned orders are set aside;*
- (b) Respondent No.2 shall revisit the matter in its entirety and decide the petitioner's representation dated 07.01.2025 afresh, after affording due opportunity of hearing to the petitioner;*
- (c) The petitioner/its duly authorized representative shall appear before the respondent No.2 in his office on 16.03.2026 at 11:00 a.m. In case, the petitioner wants to place on record any document to substantiate the pleadings recorded in the representation, the same may be adduced on that very date.*

February 24, 2026
devinder

(KULDEEP TIWARI)
JUDGE

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