

IN THE HIGH COURT OF MADHYA
PRADESH
AT JABALPUR
BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA
ON THE 1st OF JULY, 2023

WRIT PETITION No. 13109 of 2023

BETWEEN:-

GANGA JAMUNA WELFARE SOCIETY THROUGH
ITS PRESIDENT MR. MOHD. IDRISH S/O MR.
ABDUL JALIL C/O GANGA JAMUNA HS SCHOOL
WARD NO.4 FUTERA DAMOH (MADHYA PRADESH)

....PETITIONER

(BY SHRI UTTAM MAHESHWARI - ADVOCATE)

AND

1. THE STATE OF MADHYA PRADESH
THROUGH SECRETARY SCHOOL
EDUCATION DEPARTMENT VALLABH
BHAWAN BHOPAL (MADHYA PRADESH)
2. DIRECTORATE OF PUBLIC INSTRUCTIONS
THROUGH COMMISSIONER DPI BUILDING
GAUTAM NAGAR SECTOR BHOPAL 462023
(MADHYA PRADESH)
3. DIVISIONAL JOINT DIRECTOR OF PUBLIC
INSTRUCTIONS DIRECTORATE OF PUBLIC
I N S T R U C T I O N S A G A R DIVISION
GOPALGANJ SAGAR (MADHYA PRADESH)
4. COLLECTOR DAMOH DAMOH (MADHYA
PRADESH)
5. DISTRICT EDUCATION OFFICER DAMOH
DAMOH (MADHYA PRADESH)
6. NATIONAL COMMISSION FOR PROTECTION
OF CHILD RIGHTS THROUGH CHAIRPERSON
MR. PRIYANK KANOONGO 5TH FLOOR

CHANDERLOK BUILDING 36 JANPATH NEW
DELHI 110001 (DELHI)

7. DISTRICT PROJECT COORDINATOR JILA
SHIKSHA KENDRA (SARVA SHIKSHA
ABHIYAN) DAMOH (MADHYA PRADESH)

.....RESPONDENTS

*(BY SHRI VEER VIKRANT SINGH - DEPUTY ADVOCATE GENERAL
FOR THE RESPONDENTS NO.1 TO 5 & 7/STATE AND
MS.SWARUPAMA CHATURVEDI - ADVOCATE FOR THE
RESPONDENT NO.6)*

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*This petition coming on for admission this day, the court passed
the following:*

ORDER

This petition, under Article 226 of the Constitution of India, has
been filed seeking the following reliefs :-

"(i) Issue an appropriate writ in the nature of certiorari
quashing the order dated 02.06.2023 (Annexure P-9) &
09.06.2023 (Annexure P-12) through which recognition
of Ganga Jamna Higher Secondary School, Damoh
(DISE code 23120318304) has been suspended by
Respondent No.4 & 7 respectively.

(ii) Issue an appropriate writ in the nature of mandamus
commanding the Respondents conducting a free and
impartial enquiry after following principles of natural
justice with respect to show-cause notice dated
05.06.2023 (Annexure P-10).

(iii) Any other relief which this Hon'ble Court may deem
fit and appropriate.

(iv) Costs of the petition may be awarded."

2. It is submitted by the counsel for the petitioner that because of
suspension of the recognition of the petitioner-school, the career of 1208
students has come under a cloud. Therefore, the matter is of urgent in

nature.

3. In reply, it is submitted by Shri Veer Vikrant Singh, Deputy Advocate General that so far as 1208 students are concerned, they have already been accommodated in other schools as per their entitlement and if any instance is brought to the notice of the authorities, then the said student(s) will also be accommodated in other schools.

4. In view of the statement made by Shri Veer Vikrant Singh, it is submitted by the counsel for the petitioner that the school has already filed its reply to the suspension order, which is pending consideration before the authorities and accordingly, the authorities may be directed to consider and take further action in accordance with law.

5. In reply, it is submitted by Shri Veer Vikrant Singh that the reply filed by the petitioner has been received by the authorities and it is under consideration and further action shall be taken as per law.

6. Heard the learned counsel for the parties.

7. It is the case of the petitioner that its representation/reply against the suspension order is pending.

8. Counsel for the State has also stated that the reply is pending before the authorities and the decision shall be taken in accordance with law within a period of 3 weeks from today.

9. In view of the submission made by the counsel for the petitioner, the petition is **disposed of** with a direction to the respondents no.1 to 4/competent authority to take a decision after considering the reply and to proceed in accordance with law.

10. Let the entire exercise be completed within a period of 4 weeks

from today. Needless to mention that this Court has not considered the merits/demerits of the case and the decision shall be taken in accordance with law without getting influenced and prejudiced by this order.

(G.S. AHLUWALIA)
JUDGE

TG/-

