
(2011) 03 P&H CK 0651
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 4917 of 2011 (O and M)

Chanchla Devi

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 17-03-2011

Acts Referred:

Citation : (2011) 03 P&H CK 0651

Hon'ble Judges : Surya Kant, J

Bench : Single Bench

Judgement

Surya Kant, J.—Notice of motion. Ms. Monica Chhibber Sharma, learned DAG Punjab accepts notice on behalf of Respondents No. 1 to 4. Having regard to the nature of order which I propose to pass, there is no necessity to call upon the Respondents to file their counter-reply, at this stage.

2. The Petitioner is Panch of the Gram Panchayat of Village Dhulal, Block Talwara, Tehsil Mukerian, District Hoshiarpur. Her grievance is that the Government Elementary School of her village for which grant of approximately Rs. 7 lacs has been sanctioned is being constructed over a small size plot measuring 8 marlas, which would be wholly insufficient to achieve the object of right to education guaranteed to the children below fourteen years.

3. The Petitioner has also attributed motives to the Sarpanch of the Gram Panchayat.

4. Having heard learned Counsel for the parties and keeping in view the nature of relief sought in this writ petition, I am of the considered view that it would not be expedient for a writ court to select the site for the Elementary School or to give any definite opinion in that regard. Suffice it to observe that the District Administration is obligated to earmark the most suitable site with easy access to the tiny tots of the village and sufficient enough to cater future expansion as well.

5. Since the Petitioner is a public representative, it would be in the fitness of

things if her suggestions for an alternative site, are also is considered along with those of the other stake-holders.

6. Accordingly, the Deputy Commissioner, Hoshiarpur and the District Education Officer are directed to jointly visit the village, convene a meeting of the Panches/ Sarpanch and other respectables of the village and resolve the issue amicably in the best interest of the school-children.

7. The entire exercise shall be carried as early as possible but not later than one month from the date of receipt of a certified copy of this order.

8. Let a dasti copy of this order be handed over to Ms. Monica Chhibber Sharma, learned DAG Punjab for information and necessary action.

9. Ordered accordingly.