
(2020) 11 UK CK 0051
In the Uttarakhand High Court
Case No : Writ Petition (PIL) No. 86 Of 2019

Pawan Jatav

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 19-11-2020

Acts Referred:

Citation : (2020) 11 UK CK 0051

Hon'ble Judges : Ravi Malimath, J; Ravindra Maithani, J

Bench : Division Bench

Advocate : Pradeep Upreti, S.S. Chauhan, Ajay Singh Bisht

Final Decision : Disposed Of

Judgement

Ravi Malimath, J

1. Miscellaneous applications (IA Nos.9519 of 2019 and 11015 of 2020) with supplementary-affidavit and counter-affidavit are taken on record.

2. This petition is filed in public interest seeking for the following reliefs:-

â??a. Issue a writ, order and direction in nature of mandamus commanding the respondent to call the entire record from the department

and further to constitute a high level enquiry committee in order to enquire the illegal act whereby the land of Nagar Palika/State has been

handed over to respondent nos.10 to 12 for running a school without there being any proper and valid sanction by the competent authority.

b. Issue a writ, order or direction in nature of mandamus commanding the respondent authorities to take appropriate action against the

private respondent nos.10 to 12 for running a school in the name and style â?? Learning Tree Children Academy Schoolâ?? without having

proper and valid sanction in accordance with law and further direct the private

respondent to pay the compensation to the tune of Rs.50.00

lakhs to all the students.

c. Issue a writ, order or direction in the nature of mandamus commanding the respondent authority to ensure that the studies of the students

may not be hampered and alternate and appropriate arrangement may kindly be arranged in accordance with law in a school having

proper and valid sanction under the Right to Education Act â??.

3. Counter-affidavit and supplementary affidavit have been filed.

4. Shri S.S. Chauhan, learned deputy advocate general appearing for the State, submits that, pursuant to the filing of this petition, notices have been

issued and, in fact, the school has also been shut down.

5. In view of the submissions that the action has already been initiated by the State Government, we do not find it expedient to proceed further with

this matter. Learned deputy advocate general appearing for the State assures the Court that all the necessary actions, in accordance with law, will be

taken against the errant.

6. In view of the submissions made, the petition is disposed off.