

---

**(1988) 03 SC CK 0004**

**In the Supreme Court Of India**

**Case No :** Petition for Special Leave to Appeal Civil No. 1417 of 1988 and C.M.P. No. 3073 of 1988

State of H.P. and Another

APPELLANT

Vs

Ganesh Datt and Others

RESPONDENT

---

**Date of Decision :** 21-03-1988

**Acts Referred:**

**Citation :** (1988) 03 SC CK 0004

**Hon'ble Judges :** Ranganath Misra, J;M. M. Dutt, J

**Bench :** Division Bench

**Final Decision :** Disposed Of

---

**Judgement**

P.D. Desai, C.J.—No further orders are required to be passed on this writ petition in view of the order of the Supreme Court of India passed on March 21,1988 in petition for Special Leave to Appeal (Civil) No. 1417 of 1988. The writ petition stands disposed of accordingly.

2. While disposing of the writ petition as aforesaid, this Court would like to observe and clarify that it reads the order above-mentioned passed by the Supreme Court and, more particularly, the observations therein contained to the effect that the procedure indicated by the High Court need not be followed, as applicable only to directions No. (1) to (5) in the interim order issued in the present case. The justification for reading the order of the Supreme Court accordingly is to be found in the fact that : (1) the Appellants themselves submitted before the Supreme Court that in compliance of the interim order the school will also be opened within three months at the place directed in the said order, that is, village Ratwari and (2) no notice of the Special Leave Petition, therefore, appears to have been issued to the Respondent(s) and the SLP has been disposed of without granting leave and without setting aside the interim order which was sought to be questioned in the appeal.

3. The effect of reading the order of the Supreme Court accordingly is that the

direction given in para (6) of the interim order dated November 25, 1987 passed by this Court herein, which is of a general nature and refers to the guidelines laid down at pages 8 and 9 of the said order, will continue to remain operative and they will be followed by the State Government at all times and in all future cases, while selecting the site for a school or the location of a school building.