

Sr. No. 225

IOIN-CWP Nos. 4925, 5259 and 5034 of 2014 [O&M].

Haryana Progressive Schools' Conference Vs. UOI & Ors.

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PRESENT: Mr. Puneet Bali, Sr. Advocate with
Mr. Nitish K.Vasudeva, Advocate,
Mr. Aashish Chopra, Advocate,
Mr. Ramesh Hooda, Advocate,
Mr. Rajbir Sehrawat, Advocate,
for the petitioners.

Mr. Naresh Joshi, Advocate, for UOI.
Mr. R.S.Bains, Advocate,
Mr. R.S.Kundu, Additional AG, Haryana
Mr. Inderjeet Sharma, Advocate, for intervenors.
Mr. Satvir Singh Hooda, Advocate.

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In compliance to the order dated 29.09.2014, Mrs. Surina Rajan, Additional Chief Secretary, School Education Department, Haryana has filed affidavit which is taken on record. Copies given to counsel opposite.

We have also perused the computer generated lists of students of Faridabad and Gurgaon districts who have been allocated to different schools in 1st to 12th Standards. The composition of the Selection Committees who short-listed the students for nomination to private un-aided schools is given in the affidavit filed by Mrs. Surina Rajan.

While learned counsel for the parties may address on the issue of constitutionality of the State Law and Rules on the next date of hearing, we would like to know from the State Government its policy for the out-of-schools children and the data, if any, maintained of such children along with efforts as well as mechanism evolved for ensuring their admission at the elementary level.

List on 26.11.2014 for further arguments.

Meanwhile, it is directed that the private un-aided schools, namely, the petitioners shall admit the students in first standard against their available vacancies on furnishing an undertaking by the parents of child that in the absence of any reimbursement from the State, they shall bear the entire expenditure of their child.

School-wise compliance report be placed on record on the next date of hearing.

It is made clear that the admissions to be given in the 1st Standard, as directed above, shall be treated under the Central Law and the Rules framed thereunder and not under Rule 134-A of the State-Rules.

Office to retain a photo copy of this order on the files of the connected cases.

**(SURYA KANT)
JUDGE**

**October 09, 2014.
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**(DR. SHEKHER DHAWAN)
JUDGE**