

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 147 MAP 2005
DEPARTMENT OF EDUCATION,	:	
	:	
Appellee	:	Appeal from Order of the Commonwealth
	:	Court at No. 496 MD 2005 entered
	:	November 21, 2005, that granted
v.	:	peremptory judgment in the nature of
	:	mandamus, and denied Appellee's
	:	Application for Relief as to preliminary
CHESTER-UPLAND SCHOOL DISTRICT	:	injunctive relief or alternatively a
SPECIAL BOARD OF CONTROL,	:	receivership pendent lite.
MICHAEL F. X. GILLIN, B. GRANVILLE	:	
LASH AND ADRIENE M. IRVING,	:	
	:	
Appellants	:	

ORDER

PER CURIAM

DECIDED: November 21, 2006

We hereby **REVERSE** the order of the Commonwealth Court granting appellee partial summary relief in the nature of a peremptory judgment in mandamus. This matter is **REMANDED** to the Commonwealth Court for an evidentiary hearing on the merits of appellee's petition for review. See Camiel v. Thornburgh, 489 A.2d 1360 (Pa. 1985); Commonwealth ex rel. Schaffer v. Wilkins, 115 A. 887 (Pa. 1922).