
(2020) 06 J&K CK 0008

In the Jammu And Kashmir High Court

Case No : Other Writ Petition No. 354 Of 2009

Jai Maa Educational Trust And Others

APPELLANT

Vs

State Of J&K And Others

RESPONDENT

Date of Decision : 30-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0008

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J

1. The petitioners approached this Court praying for the following reliefs :-

"(i) Writ of certiorari quashing the Govt. order No. Edu/legal/J/ETT/92/08 dated 19.1.09 by virtue of which grant of No Objection Certificate (NOC) in favour of Petitioners for running ETT course has been rejected.

(ii) Writ of Certiorari: quashing the Govt. order No. Edu/ETT/NTT/90/07 dated 22.2.08 by virtue of which the inspection Committee has held that the case of the Petitioner No.1 does not merit grant of NOC.

(iii) Writ of Mandamus: directing the respondents to grant NOC to the ETT institute of the petitioner and further directing the respondents to allot students to the institute of the petitioner through Counselling for the Session 2008-2010."

2. While issuing notice on 23.04.2009 this Court passed the following interim order :-

"Issue notice returnable within two weeks. Steps for service of respondents to be taken within a period of one week. 'Dasti' service also permitted.

List after service is complete.

In the meantime, respondents are directed to consider the case of the petitioners and take a decision as per rules governing the field."

3. Thereafter, the matter was never listed in Court as it was not pursued by the petitioners. Apparently, the petitioners have lost interest to pursue the present petition and get the same listed or may be with the interim directions issued by this court, the petitioners have already been granted relief by the authority concerned. In fact any action can be taken by the authorities in accordance with rules and regulations application for the purpose and for that directions had been issued at the interim stage, while issuing notice, without even seeking comments from the respondents.

4. There are matters pending in this court in which issue of admission to various professional courses and other classes is involved. In some by interim order either admission was granted or seats were directed to be kept vacant but the cases are still lying in court for decades. There are matters where issues regarding construction of roads, culverts, schools, colleges, community centres and other projects of development are pending consideration before this court. In some cases interim stay has also been granted. In these cases even the government departments and counsels are not taking any interest to furnish the requisite information to the court and get those cases disposed of. In fact, as a result of pendency of these types of cases lot of development projects have been put on hold. Or the cases filed by the education institutions seeking affiliation or recognition but not perused for years together. These are few examples being noticed. There are many more.

5. Regularly, the cause list is being issued, which is being uploaded on the website of the High Court. The same is accessible to the Advocates as well as to the litigants. In the cause list issued for this Court, a specific note is being printed to the following effect:

"All Advocates whose cases are listed in cause list are requested to contact the concerned Bench Secretary-Mr. Hilal Yousuf on Mobile No. 9419150533 / Reader-Mr. Reagan Thakur on Mobile No. 9419140621."

6. In the present case as well none of the parties contacted the Bench Secretary or Reader of this Court.

7. Keeping in view the aforesaid facts, nothing survives in the present petition, at this stage. The same is accordingly, dismissed.