
(2016) 02 MP CK 0057
In the Madhya Pradesh High Court
Case No : W.P. No. 3332 of 2015

Jay Maa Pitambara Dhoomavati Shiksha Prasar Samiti	APPELLANT
Vs	
State of M.P. and others	RESPONDENT

Date of Decision : 17-02-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2016) 1 MPWN 214

Hon'ble Judges : U.C. Maheshwari and Sushil Kumar Gupta, JJ.

Bench : Division Bench

Advocate : Pawan Dwivedi, Advocate, for the Appellant; Vishal Mishra, Advocate and R.S. Sharma, Advocate, for the Respondent

Final Decision : Disposed Off

Judgement

1. Despite various opportunities, till date no response has been filed in the matter. On asking in this regard from the counsel for the respondent no.3, he submits that during course of the day, he is going to file the reply.

2. It is noted that this matter is listed today along with W.P.No.3123 of 2015 connected matter and such petition has been disposed of as the identical petition till some extent with the consent of the parties by extending liberty to the concerning petitioner to file elaborate representation in the office of Barkatulla University, Bhopal within the prescribed period and pursuant to that, such University is directed to consider the same within the prescribed period and there is no other distinguishable circumstances in the present matter. So in such circumstances, we deem fit to dispose of this petition also on the same terms. It is made clear that if the reply is filed during course of the day by the counsel for the respondent no.3, then the same be kept with this file but in order to maintain similarity in the identical matters, this petition is being disposed of in following manner :

On behalf of this petitioner, this petition is preferred under Article 226 of the

Constitution of India for issuing an appropriate writ against the authorities of the respondents for the following reliefs :

(I) That the respondent no.3 University may kindly be directed to immediately issue the certificate of affiliation to the petitioner institution;

(II) That, the respondent no.1 and 2 may kindly be directed to include the name of the petitioner institution in the list of recognised institutions for B.Ed. Course on its official website and include its name in centralised counselling for admission of students in B.Ed. course for the academic session of 2015-16 before 9.6.2015;

(III) Any other suitable direction which this Hon"ble Court deems fit in the facts and circumstances of the case may kindly be passed.

3. After taking us through the averments of the petition and the papers annexed with the same, the petitioner counsel has made a limited prayer to dispose of this petition by extending liberty to the petitioner to file elaborate representation with respect of the dispute raised in this petition in the office of the authorities of the respondent no.3 University with a further prayer for appropriate direction to such university to consider and decide such representation keeping in view the concerning rules and regulations, procedure, notifications and scheme on some early date within some time bound schedule.

4. Counsel for the respondent no.3/university did not have any objection in disposing of this writ petition on the aforesaid limited prayer of the petitioner's counsel.

5. In view of the aforesaid, instead to admit this petition for final hearing so also without expressing any opinion on the merits of the matter, this petition is disposed of by extending liberty to the petitioner to file it's elaborate representation with respect to the dispute raised in this petition in the office of respondent no.3/University within ten days from today along with certified copy of this order and a copy of the petition and annexures and pursuant to it, such authorities are directed that on filing such representation within the prescribed period, the same be considered and decided keeping in view the concerning rules and regulations, procedure, notification and other circulars if any within further 20 days under intimation to the petitioner in writing. Such authority is further directed that on such consideration, if the petitioner is found to be entitled to some benefit, same be extended to such petitioner as early as possible.

6. The petition is disposed of with the aforesaid directions. There shall be no order as to the costs.