

(2016) 01 AHC CK 0261

In the Allahabad High Court

Case No : Civil Misc. Writ Petition (M/S) No. 1176 of 2016

Ram Nayan Upadhyay Panini

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision : 29-01-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2016) 8 ADJ 385

Hon'ble Judges : Devendra Kumar Upadhyaya, J.

Bench : Single Bench

Advocate : Mahendra Prasad Tiwari and Vishal Kumar Upadhyay, Advocates, for the Appellant; C.S.C and Shachindra Pratap Singh, Advocates, for the Respondent

Final Decision : Disposed Off

Judgement

Devendra Kumar Upadhyaya, J.—; Heard learned counsel for petitioner, Sri Sachindra Pratap Singh, counsel for Sampooranand Sanskrit Vishwavidyala and the learned Additional Chief Standing Counsel for State-respondents.

2. On the basis of instructions received, it has been submitted by learned Additional Chief Standing Counsel that Madhyamik Sanskrit Shiksha Parishad constituted under Uttar Pradesh Madhyamik Sanskrit Shiksha Parishad Adhiniyam 2000 is empowered to recognize the institution for conducting examinations of the Parishad for the first time and thereafter to give recognition for additional subjects for such examinations. It has further been stated that so far as the case of the petitioner in this case is concerned, the petitioner-institution was earlier temporarily affiliated by Sampooranand Sanskrit Vishwavidyala and hence, in respect of permanent affiliation decision is to be taken by the authorities of the University.

3. Sri Sachindra Pratap Singh, learned counsel for respondent, on the basis of instructions received from the authorities of the University has submitted that looking into the difficulties being faced by those Sanskrit institutions which were

having temporarily affiliation with the University prior to 30.09.2000 i.e. prior to the date on which Uttar Pradesh Madhyamik Sanskrit Shiksha Adhiniyam 2000 came into force, the executive council of University has taken a decision to consider all such matters for grant of permanent affiliation.

4. Accordingly, without entering into the merits of the claim of the petitioner, the writ petition is finally disposed of with the direction to appropriate authority of the University to take decision in respect of claim of the petitioner-institution for grant of permanent affiliation. For the said purpose, the petitioner shall make a representation to the Registrar of the University within a period of ten days from today taking all the pleas which may be available and annexing therewith all the documents on which the petitioner-institutions intends to rely on. If such an application is made, the same shall be considered and final decision in the matter shall be taken by the authority concerned within a further period of six weeks from the date of production of a certified copy of this order along with representation.