

Rajesh Kumar vs. State of H.P. and others

CWP No.670 of 2023

01.04.2024 Present

Mr. P.P.Chauhan, Advocate through video conferencing.

Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C.Verma, Additional Advocate Generals with Mr. Ravi Chauhan, Deputy Advocate General, for the respondents-State.

Mr. B.Nandan Vashisht, Advocate, for respondent Nos. 4 and 5.

Mr. Saurav Kumar Manchanda, Advocate, for respondent No.6.

Mr. Vinod Chauhan, Advocate, for respondent No.7.

While placing on record communication dated 30.03.2024, issued under the signatures of Director Elementary Education, Himachal Pradesh, learned Additional Advocate General states that Desh Bhagat University, Mandi, Govindgarh, Punjab is not recognized by NRC, NCTE for awarding diploma of Drawing Arts as per the record available in NRC, whereas diploma awarded by Abhilashi University, Mandi in the discipline of Arts and Craft teacher has been recognized by H.P. Private Educational Institution Regulatory Commission vide letter dated 24.3.2023.

Though, having perused aforesaid communication in its entirety, this Court has no hesitation to conclude that vague instructions have been placed on record because as per aforesaid communication, Regulatory Commission, while recognizing the diploma awarded by Abhilashi University, Mandi has itself clarified that there is no need for respondent-

University to take approval from NCTE for running diploma in Art and Craft and as such, course is not listed in the NCTE Regulations-2014, which stand otherwise has been taken by the NCTE in reply to the petition. Once diploma issued by Abhilashi University in the discipline of Art and Craft is being recognized, it is not understood how and on what basis diploma awarded by Desh Bhagat University in the same discipline cannot be recognized, especially when it is admitted case of the parties that respondent-University need not take approval from NCTE for running diploma in Art and Craft as such, course is not listed in the NCTE Regulations-2014.

Aforesaid instructions placed on record, nowhere answer the specific query put forth by this Court while passing order dated 14.03.2024 and as such, learned Additional Advocate General prays for and is granted further ten days' time to have fresh instructions. Since vide aforesaid communication instructions already stand issued to Deputy Director Elementary Education to issue appointment orders in favour of those candidates, who have obtained diploma of Art & Craft from Desh Bhagat, University, Mandi Govindgarh, Punjab, subject to outcome of CWP No.670 of 2023, nothing more is required to be done at this stage. Copy of order dated 16.03.2024 annexed with aforesaid communication further reveals that steps are otherwise required to be taken for offering appointment to the

petitioner, subject to outcome of the writ petition, as detailed hereinabove.

In view of the above, let, this case be listed for final hearing on **24.4.2024**, on or before which, date learned Additional Advocate General may have clear cut instructions in terms of order dated 14.03.2024.

(Sandeep Sharma)
Judge

April 01, 2024
(shankar)