

S U P R E M E

C O U R T O F I N D I A
RECORD OF PROCEEDINGS

REVIEW PETITION (C) NO(s). 315 OF 2012 IN CIVIL APPEAL
NO.5185/2011

COLLEGE OF EDU.PHY.ED.&MGT.ST.V.K.S.B. Petitioner(s)

VERSUS

STATE OF M.P. & ORS. Respondent(s)

(With office report)
(For final disposal)

Date: 15/02/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE SWATANTER KUMAR

For petitioner (s) Mr. B.K.Satiya,Adv.
Mr. T.S. Chaudhary,Adv.

For respondent (s) Ms. Vibha Datta Makhija,Adv.
Mr. K. Vijay Kumar,Adv.

Mr. Varun Thakur,adv.
Mr. Shankar Divate,Adv.

Mr. Amitesh Kumar,Adv.
Mr. Ravi Kant,Adv.
Ms. Priti Kumari,Addv.
Mr. Gopal Singh,Adv.

UPON perusing papers the Court made the following
O R D E R

In terms of the signed order, the review
petition is allowed and recall the order dated
8.7.2011 under review except the order granting
leave.

we direct that the results of the
students of the appellant-College for the
academic year 2005-06 shall be published by the
University.

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We make it clear that the direction we have issued
today for publication of results of the students of the
appellant College shall be subject to the final orders
that the Court will pass in this Civil Appeal.

List the Civil Appeal No.5185/2011 alongwith Civil
Appeal No.11147/2011 after two weeks. In the meantime,
pleadings will be completed by the parties.

(O.P. Sharma) (M.S. Negi)
Court Master Court Master
(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
REVIEW PETITION (C) NO. 315 OF 2012
IN
CIVIL APPEAL NO.5185/2011

COLLEGE OF EDUCATION PHYSICAL EDUCATION &
MANAGEMENT STUDY, VIDYA NIKETAN SAMITI, BHOPAL

..Petitioner(s)

VERSUS

STATE OF M.P. & ORS.

..Respondent(s)

O R D E R

We have heard learned counsel for the parties and we find that there is an apparent error in the order dated 8th July, 2011 dismissing the Civil appeal No.5185/2011 with costs of Rs.25,000/- payable to the respondents. The error in the order dated 8th July, 2011 is that the appellant-college did not have either recognition or affiliation for its B.Ed course for the academic year 2005-06. The records show that as a matter of fact the appellant did have recognition and affiliation for the B.Ed Course for the academic year 2005-06. We, therefore, allow the Review Petition and recall the order dated 8.7.2011 under review except the order granting leave.

We further find that in Civil appeal No.5672/2010 filed by Sidhi Vinayak Education Society & Others, this

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Court vide order dated 19.7.2010 granted leave and disposed of the civil appeal with a direction that the results of the students admitted to the appellants-institutions (Sidhi Vinayak Education Society & Others)for 2005-06 shall be published. This direction was given in

view of the fact that the students of Sidhi Vinayak Education Society had taken the B.Ed. Exams for the academic year 2005-06 pursuant to interim order passed by this court. In the present case also, we find that pursuant to interim orders passed by this Court on 22.7.2009, the students of the appellant-institution have taken the B.Ed. Examination for the academic year 2005-06. Hence, we direct that the results of the students of the appellant-College for the academic year 2005-06 shall be published by the University.

It is submitted by the learned counsel for the parties that the issue with regard to the validity of the provision requiring domicile in Madhya Pradesh for admission in B.Ed Course is pending before this Court in Civil Appeal No.11147/2011. We, therefore, direct that Civil Appeal No.5185/2011 be tagged along with Civil Appeal No.11147/2011.

We make it clear that the direction we have issued today for publication of results of the students of the appellant College shall be subject to the final orders that the Court will pass in this Civil Appeal.

List the Civil Appeal No.5185/2011 alongwith Civil Appeal No.11147/2011 after two weeks. In the meantime, pleadings will be completed by the parties.

.....J.
[A.K. PATNAIK]

NEW DELHI
FEBRUARY 15, 2012
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.....J.
[SWATANTER KUMAR]