

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 1140 of 2002@@  
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Christu Jyoti Institute of  
Technology & Science & Anr.  
Versus

...Appellant(s)

vs.

David & Ors.

...Respondent(s)

O R D E R~@@  
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The short question that arises for consideration in this appeal is, whether Roman Catholic could prevent admission of Protestants into the institution.

Under the provisions of Andhra Pradesh State Minorities Commission Act, 1998 (hereinafter referred to as "the Act") "minority" has been defined. The appellants before us made an application to the appropriate authority for grant of a "minority certificate" as per G.O.Ms. No. 23 Miorities Welfare (M&R) Department, dated 10.3.1999, and in their application form, no doubt, they had indicated against column 6 that the application is being made by Roman Catholic Religious Minority Community, but the Certificate that was issued under the Act unequivocally states that it is a Christian minority, obviously with reference to definition of "minority" in Section 2(d)(ii) of the Act.

The High Court has taken the view that in view of the certificate that had been issued, it would be difficult to accept the contention of the writ-petitioner that the  
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certificate was in favour of a group of Christians, namely, the Roman Catholic and not for Protestants. The learned Single Judge and the Division Bench having negatived the contention of the appellants, the appeal is before us.

In view of the provisions of the Act referred to earlier as well as the certificate that has been issued, we see no infirmity with the impugned decision. In our opinion, until and unless, the appropriate authority under the Act rectifies the certificate that has been issued it would be difficult for the Roman Catholic Christians to prevent admission of Protestants into the Institution in question. We, therefore, do not find any merits in this appeal. It accordingly stands rejected.



.....L.....I.....J  
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Appeal stands rejected in terms of the signed order.

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(J.S. Rawat)  
Court Master

(Suneet Bala Sharma)  
Assistant Registrar

(Signed order is placed on the file)