

ITEM NO.1501

COURT NO.13

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 9828/2013

D.A.V. COLLEGE TRUST AND MANAGING SOCIETY & ORS. Appellant(s)

VERSUS

DIRECTOR OF PUBLIC INSTRUCTIONS & ORS. Respondent(s)

(HEARD BY HON. DEEPAK GUPTA AND HON. ANIRUDDHA BOSE, JJ.)

WITH

C.A. No. 9844-9845/2013 (XI-A)

C.A. No. 9846-9857/2013 (XI-A)

C.A. No. 9860/2013 (XI-A)

Date : 17-09-2019 These appeals were called on for pronouncement of judgment today.

For Appellant(s) Mr. T. G. Narayanan Nair, AOR
Mr. Amit Sharma, ADSv.

Mr. Sangram S. Saron, Adv.
Mr. Shree Pal Singh, AOR

Mr. Santhosh Krishnan, Adv.
Mr. Harikumar G. Nair, Adv.
Mr. A. Venayagam Balan, AOR

For Respondent(s)

Mr. Jatinder Kumar Bhatia, AOR

Ms. Liz Mathew, AOR

Mr. Sudhir Naagar, AOR

Mr. Ramesh Babu M. R., AOR

Mr. James P. Thomas, Adv.
Mr. Rohit Kumar Singh, AOR

Mr. C. K. Sasi, AOR

Hon'ble Mr. Justice Deepak Gupta pronounced the judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice Aniruddha Bose.

In terms of the signed reportable judgment, the Court held as under:

"CIVIL APPEAL NOS. 9844-9845 OF 2013, CIVIL APPEAL NOS. 9846-9857 OF 2013, CIVIL APPEAL NO. 9860 OF 2013.

36. As far as these cases are concerned, we find from the judgments of the High Court that the aspect with regard to substantial financing has not been fully taken into consideration, as explained by us above. Therefore, though we hold that these bodies are NGOs, the issue whether these are substantially financed or not needs to be decided by the High Court. The High Court shall give both the parties opportunity to file documents and decide the issue in light of the law laid down by us.

37. With these observations, all the appeals are disposed of in the aforesaid terms. Civil Appeal No. 9828 of 2013 is dismissed. Civil Appeal Nos. 9844-9845 of 2013, 9846-9857 of 2013 and 9860 of 2013 are remitted to the High Court for determination whether the institutions are substantially financed or not. The High Court shall treat the writ petitions to be filed in the year 2013 and give them priority accordingly."

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI KUMAR)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER

(Signed reportable judgment is placed on the file.)