



Mr. Tara Chandra Sharma, Adv.  
Ms. Neelam Sharma, Adv.

Mr. S. Gopakumaran Nair, Adv.  
Mr. T.G. Narayanan Nair, Adv.  
Mr. K.N. Madhusoodhanan, Adv.

Mr. Vijay Kumar, Adv.

Mr. Nishe Rajen Shonker, Adv

Mr. P.S. Patwalia, Sr. Adv.  
Mr. V. Giri, Sr. Adv.  
Mr. Haris Beeran, Adv.  
Mr. Mushtaq Salim, Adv.  
Mr. R.S. Jena, Adv.

Mr. P.I. Jose, Adv.

Mr. Ashok Kumar, Adv.

Ms. Lalit Mohini Bhat, Adv.  
Ms. Hetu Arora, Adv.  
Mr. Naveen R. Nath, Adv.  
Ms. Amrita Sharma, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

The State Government has filed these SLPs challenging the order of the High Court directing consideration of the applications filed by the respondents for grant of 'no objection certificate' for seeking affiliation with Central Board of Secondary Education (for short 'CBSE') for a new institution/existing institutions. The State Government had earlier

3

rejected the request with reference to the Policy of the State Government then in force.

When the matter came up today, both sides submitted that the State Government has now made a new Policy contained in G.O.(MS) No.137/2011/G.Edn. dated 10.6.2011 which reads as under:

"Government are pleased to accord sanction for issuing No Objection Certificate for getting CBSE/ICSE affiliation to schools, which totally fulfills the norms and conditions prescribed by CBSE/ICSE and having own land and basic facilities.

Further guidelines will be issued by the Department in due course."

In view of the said Policy, it is submitted that these SLPs by the State Government have become infructuous as the State Government will have to consider the applications of the respondents with reference to the said new Policy dated 10.6.2011 and pass

appropriate orders within three months from today.

It is needless to say that if the respondents-applicants are aggrieved by any order passed on such consideration, they will be entitled to challenge the same in accordance with law.

Learned counsel for the petitioner State submitted that in pursuance of the interim order dated 8.3.2011 of this Court, the State Government considered and passed orders on

4

4.7.2011. Admittedly, the said direction was issued before the change in Policy but the orders of rejection dated 4.7.2011 states that it has been passed by taking note of the new Policy dated 10.6.2011. Wherever such orders are passed, the concerned institution will be entitled to challenge the same in accordance with law and if it has already challenged, it will be considered in view of the new Policy.

In so far as applications for impleadment/intervention, it is open to the applicants to file applications for 'no objection certificate' in terms of the new Policy.

Special leave petitions are dismissed as having become infructuous.

(Ravi P. Verma)  
Court Master

( M.S. Negi )  
Court Master