

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

WRIT PETITION (CIVIL) NO(s). 276 OF 2012

MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA Petitioner(s)

VERSUS

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

(With application for exemption from filing Official Translation, directions, permission to file additional documents, permission to urge additional grounds and office report)

WITH

W.P(C)No.296/2012

[INST.OF APPLIED MEDICINES & RES Vs. STATE OF U.P.& ORS.]

(With application for directions and office report)

W.P.(C) No. 306/2012

[DEEPANSHU COLLEGE OF PROFESSIONAL STUDY V. STATE OF U.P. & ORS.]

(With application for directions and office report)

W.P.(C) No. 307/2012

[KHAJAN SINGH GIRLS DEGREE COLLEGE V. STATE OF U.P. & ORS.]

(With application for directions and office report)

W.P.(C) NO. 329/2012

[RAJIV GANDHI SHIKSHA MAHAVIDYALAYA & ANR. V. STATE OF U.P. & ORS.]

(With application for directions, exemption from filing official translation and office report)

SLP(C) No. 24976/2012

[KRISHNA JANKA DEVI DEGREE COLLEGE V. STATE OF U.P. & ORS.]

(With application for exemption from filing official translation, exemption from filing certified copy of the impugned judgment and with prayer for interim relief)

WP(C) NO. 354/2012

[BHAGWAN SHIV MAHAVIDYALAYA V. STATE OF U.P. & ORS.]

(With application for directions and office report)

SLP(C) No. 25666/2012

[SHAKUMBHARI COLLEGE SAHARANPUR V. STATE OF U.P. & ORS.]

(with application for exemption from filing certified copy of the impugned judgment, with prayer for interim relief and office report)

...2/-

WP(C) No.345/2012

[MAMTA COLLEGE V. STATE OF U.P. & ORS.]

(With application for directions and office report)

WP(C) No. 346/2012

[GOPALDAS MEMORIAL EDUCATIONAL INST. V. STATE OF U.P. & ORS.]

(With application for directions, exemption from filing official translation and office report)

WP(C) NO.347/2012

[GURU NIRANJANA NAND MAHAVIDYALAYA V. STATE OF U.P. & ORS.]

(With application for directions and office report)

WP(C) NO. 350/2012

[COMMIT. OF MGT. VAISHNO DEVI ED. COL. & ORS. V. STATE OF U.P. & ORS.]

(With application for exemption from filing official translation and office report)

WP(C) NO.349/2012
[SURAYA KIRAN INST. OF TECHNOLOGY V. STATE OF U.P. & ORS.]
(With application for directions, exemption from filing official translation and office report)

SLP(C)No.21527/2012
[D.J.B.V.COLLEGE OF EDUC.FOR WOMEN Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21643/2012
[RAM INST.OF EDUCATION Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21671/2012
[MODEL DIVINE MAHILA COLLEGE Vs. STATE OF U.P AND ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21695/2012
[AMAN INST.OF MGT.& EDUCATION Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21720/2012
[HERITAGE INTERNATIONAL BUSINEES SCHOOL Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21873/2012
[MAA KELA DEVI GIRLS COLLEGE Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21874/2012
[CHAUDHARY SHIV CHARAN SINGH DEGREE COL. Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21876/2012
[INDRA DEV GIRLS INST.OF EDUC.& TECHNGY Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21877/2012
[SANT RAM KRISHNA KANYA MAHAVIDYALAYA Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21878/2012
[RAGHUBIR SHARAN MEMORIAL COLLEGE Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21881/2012
[KATYANI COLLEGE OF EDUCATION Vs. STATE OF U.P. & ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21882/2012
[INST.FOR ADVANCE STUDIES Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C)No.21890/2012
[L.C.P.COLLEGE OF EDUCATION FOR WOMEN Vs. STATE OF U.P.& ORS.]
(With prayer for interim relief and office report)

SLP(C) NO.24959/2012
[RAM KUMAR GAYATRI DEVI DEGREE CIL. & ANR. V. STATE OF U.P. & ORS.]
(With application for exemption from filing official translation, with prayer for interim relief and office report)

SLP(C) No. 22351/2012
[WELTECH COLLEGE OF EDUCATION & ANR. V. STATE OF U.P. & ORS.]
(With prayer for interim relief and office report)

W.P.(C) NO. 395/2012
[SHRI KRISHNA COLLEGE OF EDUCATION V. STATE OF U.P. & ORS.]

(With application for directions and office report)

WP (C) NO. 389/2012

[DESH DEEPAK ADARASH MAHILA MAHAVIDYALAYA V. STATE OF U.P. & ORS.]

(With application for interim relief, exemption from filing official translation and office report)

WP(C) No. 397/2012

[M.V.M.M. DEGREE COLLEGE V. STATE OF U.P. & ORS.]

(With application for directions and office report)

Date: 27/09/2012 These Petitions were called on for hearing today.

CORAM :

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

For Petitioner(s)

in WP 276/12

Mr. Krishnan Venugopal, Sr. Adv.

Ms. Pooja Dhar, Adv.

Mr. Udai U.S. Rathore, Adv.

Mr. Gaurav Agrawal, Adv.

In Rest of the Matters

Mr. Jayant Bhushan, Sr. Adv.

Mr. Rajesh Srivastava, Adv.

Mr. Meenesh Dubey, Adv.

Mr. D.P. Pande, Adv.

Mr. S.R. Setia, Adv.

Mr. Raghvendra Singh, Adv.

In WP 307, 354, 345,
346 & 347

Mr. Sanjay Sharawat, Adv.

Mr. Aditya Kant Sharma, Adv.

In WP 329, SLP 24976

Mr. Ritesh Agarwal, Adv.

In SLP 25666

Mr. Jayant Bhushan, Sr. Adv.

Mr. Meenesh Dubey, Adv.

Mr. D.P. Pande, Adv.

Mr. S.R. Setia, Adv.

In SLP 24959

Mr. Aneesh Mittal, Adv.

Ms. Rita Chaudhary, Adv.

Mr. Madhur Jain, Adv.

Mr. Sunil Kumar Jain, Adv.

In WP 350

Mr. S.R. Singh, Sr. Adv.

Mr. D.N. Dubey, Adv.

Mr. Avnish Singh, Adv.

Ms. Ujjawal pandey, Adv.

Mr. Sushant K. Yadav, Adv.

Mr. Yash Pal Dhingra, Adv.

In WP 349

Mr. Satyendra Kumar, Adv.

Ms. Sunita Bhardwaj, Adv.

Mr. Bijendra Singh, Adv.

In WP 389

Mr. Shail Kumar Dwivedi, Adv.

Mr. Siddharth Krishna Dwivedi, Adv.

In WP 397

Mr. Sanjay Sharawat, Adv.

For Respondent(s) Mr. P.N. Mishra, Sr. Adv.
For State in all Mr. C.D. Singh, Adv.
After notice matters Ms. Ayesha Chaudhary, Adv.

For NCTE Mr. Amitesh Kumar, Adv.
Mr. Ravi Kant, Adv.
Mr. Gopal Singh, Adv.

For CCS University Mr. Pramod Swarup, Sr. Adv.
Mr. Ameet Singh, Adv.
Ms. Pareena Swarup, Adv.
Ms. Sushma Verma, Adv.
Mr. Mukul Singh, Adv.
Mr. Praveen Swarup, Adv.

For RR No. 2 & 3 in
WP 276 Mr. Vishwajit Singh, Adv.

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

By our interim order dated 26th July, 2012, we had, while taking note of the fact that counselling for vacant seats in B.Ed. Course for different private colleges in the State of Uttar Pradesh was scheduled from 27th July, 2012 to 26th August, 2012, directed that the counselling will not be held for the time being.

On 25th September, 2012, after hearing writ petition and all other connected matters, we had called upon the concerned Universities to file an affidavit on the issue whether the students admitted to the institution which had already been affiliated will be able to complete the course during the academic session as per the Regulations of the NCTE if the interim order is vacated or modified now.

Pursuant to the aforesaid orders passed on 25th September, 2012, an affidavit has been filed on behalf of respondent No. 2 - Dr. Ram Manohar Lohia Awadh University and it is inter alia stated therein that if the vacancies in the seats in different private colleges which are affiliated are filled up and fresh students are admitted, the University will still be in a position to complete the mandatory requirements of 200 days as per the NCTE norms and Regulations, since the examinations for the last academic session 2011-12 have commenced from the second week of September, 2012 only. Along with the affidavit, a chart has been annexed to indicate that there were 13,435 vacant seats in self-financing colleges which are affiliated to the concerned Universities comprising 2762 vacant seats in the Arts and Commerce Stream and 10,673 seats in Science and Agriculture.

Considering the aforesaid facts stated in the affidavit filed on behalf of respondent No. 2, we vacate the interim order and permit the authorities to fill up the vacant seats in B.Ed. Course in different self-financing colleges which have already been granted affiliation as well as Government and Government aided Colleges. But we make it clear that the authorities will ensure that the students are admitted strictly as per the procedure that has been already notified on the basis of their merit in the entrance examination and fresh counselling will take place after a fresh advertisement in the newspapers having circulation in the State of Uttar Pradesh and in the internet. The authorities will also ensure that the students admitted complete the mandatory period of 200 days' course in the B.Ed. as per norms of the NCTE.

The matters are reserved for judgment.

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| [KALYANI GUPTA]
| COURT MASTER

| | [SHARDA KAPOOR]
| | COURT MASTER

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