

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Benchmark International School, ILLathappadi Road, South Annara,  
Thirur, District - Malappuram, Kerala – 676101.**

**V/s.**

**The Secretary, General Education Department, Government of  
Kerala, Thiruvananthapuram, Kerala.**

**Case No. 321 of 2019**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the  
arguing counsel Mr. Junais P.

In compliance of the Commission's earlier Order, Physical  
Inspection Committee has sent physical inspection report along with  
covering letter dated 22.12.2022, which was received in the Commission's  
Office on dated 28.12.2022 and is taken on record.

An internal communication letter dated 17.11.2022 is received by  
post in the Commission's Office on dated 28.11.2022, which is also taken  
on record.

Heard learned counsel for the petitioner at some length. During the  
course of arguments it is pointed out that the petitioner has applied before  
the State Competent Authority for grant of NOC on dated 26.11.2018 and  
after stipulated time period of 90 days this petition for grant of MSC was  
filed by the petitioner on dated 07.05.2019.

On dated 26.05.2022 petitioner has filed supplementary amended  
Trust Deed dated 04.12.2021 by which it is clear that earlier there was no  
object clause in the Trust Deed.

There was no specific beneficiary clause for the concerned Minority  
community in the Trust Deed before the amendment.

Leaned counsel for the petitioner submitted that right now, main  
counsel of this case is out of station and prayed for time to argue on the  
above mentioned point.

In the interest of justice, List on 15.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Oxford English School, Mutlur Bypass, Thillainayagapuram, Near  
Vandigate, Chdambaram Taluk, District - Cuddalore, Tamil Nadu - 608001**

**V/s.**

**Principal Secretary, School Education Department, Government of Tamil  
Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu –  
600009**

**Case No. 50 of 2020**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the  
arguing counsel Mr. Junais P.

Despite sending reminder letter by post and email to the members  
of Physical Inspection Committee, we have not received any response/  
physical inspection report from the Physical Inspection Committee till now.

Learned counsel for the petitioner submitted that he has no  
information that petitioner has approach the said Committee members.

Office is directed to again send reminder by post and also by  
email to the members of Physical Inspection Committee, for sending the  
inspection report positively by next date of hearing.

Office is also directed to send a letter to the Chief Secretary of the  
State of Tamil Nadu mentioning that this Commission has constituted the  
Physical Inspection Committee as per the Commission's Order dated  
13.07.2022, but after giving reminders to the Committee, the Committee  
has not inspected petitioner institution till now. This petition is pending  
before the Commission for adjudication.

Office is directed to provide a copy of the reminder letter to the  
learned counsel for the petitioner.

Learned counsel for the petitioner is directed to again approach  
the members of the Physical inspection Committee and also provide all the  
relevant documents to the members of Physical Inspection Committee.

List on 14.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**National Institute of Fire & Safety Engineering & Technology, No. 4&26/2, College, Road, Subramaniyapuram, Karaikudi, Sivaganga District, Tamil Nadu - 630002**

**V/s.**

**Principal Secretary, Higher Education Department, Government of Tamil Nadu, Rina Road Fort St. George, Secretariat, Chennai, Tamil Nadu – 600009**

**Case No. 51 of 2020**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

Learned counsel for the petitioner again prayed for time to file an application and also to comply with the Commission's earlier Order dated 16.01.2020.

In the interest of justice, list on 14.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Adam & Eve's School, Peerzada Road, Galshaheed, Moradabad,  
Uttar Pradesh.**

**V/s.**

**Additional Chief Secretary, Deptt. of School Education, Government  
of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh-  
226001.**

**Case No. 162 of 2020**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the  
arguing counsel Mr. Junais P.

In compliance of the Commission's earlier Order, Physical  
Inspection Committee has sent physical inspection report along with  
covering letter dated 23.12.2022, which was received in the Commission's  
Office on dated 28.12.2022 and is taken on record.

An internal communication letter dated 24.11.2022 is received by  
post in the Commission's Office on dated 05.12.2022, which is also taken  
on record.

Learned counsel for the petitioner submitted that he has filed  
certified copies of all the relevant documents before this Commission.

Now, fix the case for final arguments on 22.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Mandawar Degree College, Mandawar, Bijnor, Uttar Pradesh - 246721.**

**Vs.**

**Principal Secretary, Higher Education, Department of Education,  
Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow,  
Uttar Pradesh - 226001.**

**Case No. 169 of 2020**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

Learned counsel for the petitioner has not complied the Commission's earlier Order dated 10.11.2022. Hence, reminder letter was not issued by the Office to the members of the Physical Inspection Committee.

An internal communication letter dated 05.11.2022 is received by post in the Commission's Office on dated 15.11.2022, which is taken on record.

Office is directed to again send reminder by post and also by email to the District Education Officer, Bijnor for sending the inspection report positively before next date of hearing.

List on 22.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Madrasa Aazad Model School, Village & Post - Banethu, Santkabir  
Nagar District, Uttar Pradesh - 272152.**

**Vs.**

- 1. Principal Secretary, School Education. Department of Education,  
Government of Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of School Education,  
Government of Uttar Pradesh, Bahu Khandi, Secretariat,  
Lucknow, Uttar Pradesh- 226001.**

**Case No. 170 of 2020**

**04.01.2023**

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth Kulambil, Advocate appeared on behalf of the  
arguing counsel Mr. Junais P.

Despite service of regd. notice, none appeared on behalf of the  
respondent, even in the second.

We have heard learned counsel for the petitioner on application  
Under Order 06 Rule 17 read with Section 12(2) of the NCMEI Act, 2004  
for amendment in the Col. No.6 (a) of the petition.

Learned counsel for the petitioner submitted that in the main MSC  
application filed by the petitioner inadvertently a typographical error  
occured in furnishing the students details against the column no. 6(a) and  
for just and proper adjudication of the petition it is necessary to amend  
original MSC petition.

If aforesaid amendments have not been permitted to be made, the  
petitioner institution will suffer irreparable loss. Petitioner has a *prima facie*  
good case in his favor and no prejudice will caused to anyone by the  
amendment as prayed.

We have heard learned counsel for the petitioner and perused the  
petition as well as amended application. For the reasons mentioned, the  
amended petition is allowed.

Office is directed to file the amended petition properly in the case  
file.

Despite sending reminder letter by post and email to the members  
of Physical Inspection Committee, we have not received any response/  
physical inspection report from the Physical Inspection Committee till now.

Learned counsel for the petitioner submitted that Physical  
Inspection Committee members have already inspected their institution.

Contd...2/-

**Case No. 170 of 2020**

**04.01.2023**

Office is directed to again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the inspection report positively by next date of hearing.

In the interest of justice, list on 22.02.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Guru Nanak Girls High School, Khirki Ali Beg, Faizabad, Uttar Pradesh - 224001.**

**Vs.**

- 1. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**
- 2. Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**

**Case No. 379 of 2020**

**04.01.2023.**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Despite sending reminder by post and email to the members of Physical Inspection Committee, we have not received any response/ Physical Inspection report from the Physical Inspection Committee till now.

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have already inspected the petitioner institution but we have not received the inspection report till now.

Office is directed to again send reminder by post and also by e-mail to the members of Physical Inspection Committee, for sending the inspection report positively before next date of hearing.

In the interest of justice, list on 07.03.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Mary's School, Sangramsai Camp, Noamundi P.O., West Singhbhum District, Jharkhand - 833218.**

**Vs.**

**Director, Secondary Education, Under School Education & Literac Department, 3rd Floor, MDI Building, S.E & L. Department Behind Prject Bhawan, Post - Dhurwa, District - Ranchi, Jharkhand - 834004.**

**Case No. 14 of 2021**

**04.01.2023.**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

In compliance of earlier order dated 25.10.2022, Office has filed its enquiry report and submitted that the five documents pertaining to Case No. 112 of 2021 were inadvertently placed in this file i.e. Case No. 14 of 2021. Thereafter, the said documents were removed from this file and were placed in concerned file i.e. case no. 112 of 2021.

Heard, learned counsel for the petitioner, and during the course of arguments it is found that Council for the Indian School Certificate Examination has given an affiliation certificate that the petitioner institution, St. Mary's School at Sangramsai Camp, Noamundi P.O., Dist: West Singhbhum District, Jharkhand has been affiliated to the Council but the issuing authority i.e. Chairman and Chief Executive and Secretary of the Council have not mentioned the level of education and validity period of the certificate that whether it is permanent in nature or for a certain period.

In the eye of the law and our considered opinion, this type of certificate is not acceptable.

Secretary of the Commission is directed to send a letter to the Chairman and Chief Executive and Secretary of Council for the Indian School Certificate Examination to seek clarification that what is the level of the petitioner institution and for how much period they have given this affiliation certificate to the petitioner institution.

List on 09.03.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Thomas Academy, Magazine Road, St. Thomas Mount, Chennai,  
Tamil Nadu - 600016.**

**Vs.**

**Principal Secretary, School Education Department, Government of  
Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil  
Nadu - 600009.**

**Case No. 29 of 2021**

**04.01.2023.**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

In compliance of the Commission's earlier Order dated 12.05.2022, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 16.11.2022 by post which is received in the Commission's Office on dated 22.11.2022 and is taken on record.

Learned counsel for the petitioner submitted that the petitioner has filed certified copies of all the relevant documents.

In the interest of justice, list the case for final arguments on 09.03.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Vibgyor Roots and Rise English Medium Primary School, Survey No. 35/2A1A1P2, Bangra Kulur Kulur Post, Vibgyor School Road, Behind Delta House, Mangalore, Karnataka - 575013.**

**Vs.**

**Additional Chief Secretary, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi-Storeyed Building, Bangaluru - 560001.**

**Case No. 39 of 2021**

**04.01.2023.**

Present: Mr. Prasanth K., Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth K., Advocate appeared on behalf of the arguing counsel Mr. Junais P.

In compliance of the Commission's earlier Order dated 10.08.2022, Additional Deputy Commissioner & District Magistrate, Dakshina Kannada District, Mangaluru has submitted his report alongwith covering letter dated 17.11.2022 which is received in the Commission's Office on dated 22.11.2022 and is taken on record.

In the said report it is mentioned *that "the petitioner school was already closed and not functioning now. According to the local people and watchman of the building, the building was sold out. No records or Staff were available to get further information or verification. So, unable to submit the report in prescribed format. Also enclosed a few GPS based photos as the evidence."*

Same report was again sent by the District Mnority Welfare Officer alongwith covering letter dated 16.11.2022 which was received in the Commission's Office on dated 28.11.2022 and is also taken on record.

In the facts and circumstances of the case, learned counsel for the petitioner do not want to press this case and seeks to withdraw the petition. Hence, the petition is dismissed as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Advance Kids School, H. No. 200-201, M.H. Degree College Ke samne, Ward No.21, Lajpatnagar, Moradabad, Uttar Pradesh - 224001.**

**Vs.**

**Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**

**Case No. 191 of 2022**

**04.01.2023.**

Present: Mr. Praveen Rawat, Advocate for the petitioner.

Mr. Praveen Rawat, Advocate has filed his authority letter on behalf of the petitioner which is taken on record.

Learned counsel for the petitioner frankly admitted that petitioner has applied before the State Competent Authority for grant of MSC and that application is still pending before the State Competent Authority.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence, this application is not maintainable at this stage.

As per the earlier Order dated 18.10.2022, it is also pointed out that, the petitioner has filed conditional recognition certificate which is also expired and petitioner has not filed General Body Resolution to obtain Minority Status Certificate from this Commission and envelope with postage charges for sending notice to the State Competent Authority.

At present this case is not maintainable at this stage and deserves to be dismissed, however, the petitioner is free to move fresh application as per law and settled procedure.

Hence, the petition is dismissed.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**04.01.2023**

**Crescent International School, Bario (Knowledge Village), Govindpur,  
Dhanbad , Jharkhand - 828109.**

**Vs.**

**Director, Secondary Education, Department of School Education &  
Literacy, S.E & L. Department, MDI Building, Post - Dhurwa, District -  
Ranchi, Jharkhand - 834004.**

Present: Mr. Prasanth K., Advocate for the petitioner.

Mr. Prasanth K., Advocate appeared on behalf of the arguing counsel Mr. Junais P.

An application has been received by hand on 12.12.2022, from Crescent International School, Bario (Knowledge Village), Govindpur, Dhanbad , Jharkhand - 828109, for grant of minority status certificate. It be registered.

It transpires from the petition that on 29.10.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Secondary Education, Department of School Education & Literacy, S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand - 834004, which was received by the respondent on 02.11.2021, The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School during the academic year 2019-20 total 765 students were studying and out of them 464 students were from the Muslim Minority Community, during the academic year 2020-21 total 745 students were studying and out of them 250 students were from the Muslim Minority Community and during the academic year 2021-22 total 1045 students were studying and out of them 525 students belongs to the Muslim Minority Community.

Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 13.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**04.01.2023.**

**Saint Francis De Sales (SFS) School, P.O. Silapathar, District - Dhemaji, Assam - 787059.**

**Vs.**

**Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam – 781006.**

Present: None.

An application has been received by post on 13.12.2022, from Saint Francis De Sales (SFS) School, P.O. Silapathar, District - Dhemaji, Assam - 787059, for grant of minority status certificate. It be registered.

It transpires from the petition that on 11.08.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam – 781006, which is received by the respondent on 16.08.2022. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School during the academic year 2021-22 total 785 students were studying and out of them 404 students belongs to the Christian Minority Community.

Office has reported that there is no specific beneficiary clause available in the MoA for the Christian Minority Community and UID filed by the petitioner is not complete.

Office is directed to tag the file no. 40 of 2020 with this case and issue show cause notice by registered Ad/ e-mail to the petitioner for compliance of the above order.

In the interest of justice, list on 13.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**04.01.2023**

**Shri Guru Nanak Higher Secondary School Damoh, Near Government  
Polytechnic College, Jabalpur, Naka Damoh District, Madhya Pradesh.**

**Vs.**

**Secretary, Backward Clases and Minority Welfare Department, Bhopal,  
Madhya Pradesh.**

Present: Mr. Ajay Deep Mishra, Advocate for the petitioner.

Mr. Ajay Deep Mishra, Advocate has filed an application, which was received in the Commission by post on dated 12.12.2022 for restoration of case No. 460 of 2019. The said case was dismissed in default on dated 17.11.2022. It be registered in the head of miscellaneous case.

On perusal of the application it found that applicant has not filed copies of restoration application and Envelope with postage charges for sending notice to the respondent.

Learned counsel for the applicant prayed for time to comply the above mentioned order. Time prayed for is allowed.

Office is directed to tag file of case No. 460 of 2019 with this application.

In the interest of justice, list on 18.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**04.01.2023**

**Bright Way Public School, Sajjad Bagh Colony, Daulatganj Chowk,  
Lucknow, U.P.**

**Vs.**

**Additional Chief Secretary Department of Secondary Education Govt.  
of UP Bahu Khandi, Secretariat, Lucknow (UP).**

Present: Mr. Mustaqeem Husain for the petitioner.

An application has been received by post on 13.12.2022 from Bright Way Public School, Sajjad Bagh Colony, Daulatganj Chowk, Lucknow, U.P for grant of minority status certificate. It be registered.

Perused the office report and it transpires from record that the petitioner has not applied for grant of No Objection Certificate before the State Competent Authority.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

In this case, office has reported that the petitioner has filed recognition certificate which is expired and petitioner has not filed General Body Resolution to obtain Minority Status Certificate from this Commission and envelope with postage charges for sending notice to the State Competent Authority.

Mr. Mustaqeem Husain seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief. Leave and liberty is granted.

The petition is disposed of as withdrawn.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**04.01.2023.**

**St. Joseph's School, Thunai, Nadigaon, Bageshwar District,  
Uttarakhand - 263642.**

**Vs.**

**In-charge Secretary, Higher Education, Uttarakhand Govt., Room No.  
7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building),  
Uttarakhand Secretariat.**

Present: Mr. Jose Abraham, Advocate for the petitioner.

An application has been received by hand on 14.12.2022, from St. Joseph's School, Thunai, Nadigaon, Bageshwar District, Uttarakhand - 263642, for grant of minority status certificate. It be registered.

It transpires from the petition that on 27.08.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat, which was received by the respondent on 05.09.2022, The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School during the academic year 2020-21 total 209 students were studying and out of them 7 students were from the Christian Minority Community, during the academic year 2021-22 total 247 students were studying and out of them 8 students were from the Christian Minority Community and during the academic year 2022-23 total 315 students were studying and out of them 09 students belongs to the Christian Minority Community.

Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 18.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.