Classic Montessori High School, Chaudhrana Malihabad, Lucknow, Uttar Pradesh -227111.

V/s.

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

Case No. 330 of 2019

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner has filed an affidavit for clarification alongwith downloaded copy of the list of Competent Authority and copy of NOC application submitted before the State Competent Authority before the Commission's office on dated 03.02.2023, which are taken on record.

Learned Counsel for the petitioner has filed Governing Body Resolution and a clarification affidavit of Mr. Sahab Quraishi before the Commission's office on dated 06.02.2023, which are also taken on record.

Heard, learned Counsel for the petitioner. Reserved for Orders.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Sacred Heart Convent School, Pak Dil Nagar, Mari Gorh Singh, P.O. Bhikhiwind, Tarn Taran, Punjab.

Vs

- 1. Director of Public Instruction (S.E), Punjab Block E, Vidya Bhawan, 4 th Floor Complex Punjab School Education Board, Sector 62, S.A.S. Nagar, Punjab.
- 2. Additional Chief Secretary Room No. 510, Fifth Floor, Punjab Civil, Secretariat-II, Sector-09, Chandigarh

Case No. 633 of 2019

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner has filed three documents before the Commission's Office on dated 10.02.2023, which are taken on the record.

In the interest of justice, list on 22.03.2023.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Anne's Public School, Teacher's Colony, Mulbagal, Kolar Dt., Karnataka.

Vs.

Additional Chief Secretary to Govt., Education Dept. (Higher Education), Govt. of Karnataka.

Case No. 639 of 2019

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner 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The petition is disposed of as withdrawn.

Office is directed to return envelope to the learned counsel for the petitioner.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Anne's Pre-University College, Changavara Road, Jyothinagara, Sira, Tumkur Dt., Karnataka.

Vs.

Additional Chief Secretary to Govt., Education Dept. (Higher Education), Govt. of Karnataka.

Case No. 641 of 2019

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner 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.

Office is directed to return envelope to the learned counsel for the petitioner.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Anne's Pre-University College, N.R. Mohalla, Mysore, Karnataka.

Vs.

Additional Chief Secretary to Govt., Education Dept. (Higher Education), Govt. of Karnataka.

# Case No. 642 of 2019

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner 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.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

# DR. SHAHID AKHTER MEMBER

Oxford English School, Mutlur Byepass, 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

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner has filed two documents before the Commission's Office on dated 06.02.2023, which are taken on the record.

In compliance of the Commission's earlier Order dated 13.07.2022, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 02.02.2023 by post which is received in the Commission's Office on dated 07.02.2023 and is taken on record.

In the Physical inspection report, it is mentioned by the members of the Physical Inspection Committee that "As per the Trust Deed the main object did not concern to promote the interest of the minority concerned and not subserve the interests of the minority community concerned. As per reference of GO(MS) No. 109, dated 29.12.2022".

Learned counsel for the petitioner submitted that petitioner has filed certified copies of all the relevant documents and Beneficiary Clause is there in their Trust deed which is already on record.

In the interest of justice, list the case for final arguments on 11.04.2023.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

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

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner has filed notarized copy of affiliation order of the petitioner institution before the Commission's Office on dated 09.02.2023, which is taken on record.

Learned counsel for the petitioner has also filed an application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12(2) of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also filed rejoinder affidavit, a copy of the said application and rejoinder along with an envelope and postal stamp for sending notice to the respondent, submitted by hand, before the Commission's Office on dated 09.02.2023, which are taken on record.

Office is directed to issue notice of the above application to the respondent by registered AD/ e-mail.

List on 11.04.2023.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

## **EDUCATIONAL INSTITUTIONS**

# Dheeraj International School, Plot No. 1, Sector 10, 1 Atal Bihari Vajpayee Marg, PCNDTA, Bhosari, Pune, Maharashtra

Vs.

# Joint Secretary, Minorities Development Deptt, Mantralaya (Annexe), Mumbai, Maharashtra

# Case No. 77 of 2020

14.02.2023.

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

The original notices of the Commission sent to District Social Welfare Officer, Rom No.206, Shivajinagar, Distt- Pune, Maharashtra have been received back as un-served in the Commission's Office on dated 10.01.01.2023 with the remark "Refuse" as mentioned by the Post Office. Both the letters are taken on record.

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 members of the said Committee till now.

Learned counsel for the petitioner submitted that petitioner, Mr. Pradeep Popatlal Karnavat has approached the members of the Physical Inspection Committee but they have not inspected the petitioner institution till now.

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

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

Learned counsel for the petitioner is again directed to approach the members of the Physical Inspection Committee.

In the interest of justice, list on 12.04.2023.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

# NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS

Golden International School, Rau-Rangwasa, Cat Road, Indore, M.P.

V/s

Secretary, Backward Classes and Minority Welfare Deptt, Bhopal, M.P.

# Case No. 80 of 2020

14.02.2023.

Present : Mr. Junais P, Advocate for the petitioner None for the respondent

Heard, learned Counsel for the petitioner.

Reserved for Orders.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

# DR. SHAHID AKHTER MEMBER

M S Creative School, Municipal No. 1-4-758/7 to 10, 10A, 10B, Bakaram, Musheerabad, Hyderabad, Telangana - 500020.

Vs.

Secretary, Minorities Welfare Department, Government of Telangana, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad - 500022.

Case No. 285 of 2020

14.02.2023.

Present: Ms. Anju Joseph, Advocate for petitioner. None for the Respondent.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham.

Despite reminder by post and e-mail to the members of the Physical Inspection Committee, we have not received any response/Physical inspection report from the members of the said Committee.

The original notice of the Commission sent to District Social Welfare Officer, M J Road, Distt-Hyderabad, Nampally, Telangana is returned by the addressee and is received back as un-served in the Commission's Office on dated 04.01.2023 wherein the cause is not mentioned by the Post Office and is taken on record.

Learned Counsel for the petitioner is directed to submit proper address of the District Social Welfare Officer.

After compliance f the above Order by the learned Counsel for the petitioner, Office is directed to again issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing.

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

Learned Counsel for the petitioner is also directed to approach the members of the Physical inspection Committee.

List on 12.04.2023.

# JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Akal Academy Habri, VPO Habri, Tehsil – Pundri, Dist. Kaithal, Haryana – 136 026.

V/s.

Principal Secretary, School Education, Department for Schools/ Primary Schools, Room No. 37, 7th Floor, Haryana Civil Secretariat, Sector – 1, Chandigarh – 160 001.

Case No. 373 of 2020

14.02.2023

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned Counsel for the petitioner 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.

Office is directed to return the envelope to the learned counsel for the petitioner.

### DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Idara Madarsa Jame-UI Uloom, Doharighat-Mau, Uttar Pradesh - 275303.

Vs.

# Additional Chief Secretary, Deptt., of School Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.

Case No. 78 of 2021

#### 14.02.2023

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner filed an affidavit by hand, before the Commission's Office on dated 07.02.2023, which is taken on record.

In compliance of the Commission's earlier Order dated 16.11.2022, Office has sent notice to Shri Deo Raj Singh, Notary Public.

Despite service of said letter, none appeared on behalf of the Shri Deo Raj Singh, Notary Public.

Learned counsel for the petitioner submitted that one more notice should be given to the said Notary Public.

In our considered opinion when the notice of the Commission has been served to the Notary Public no needs to give any further notice.

In the interest of justice, we can wait for Notary Public for next date of hearing.

In the interest of justice, list on 13.04.2023.

## DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Joseph's Nursery and Primary School, Nagamalai, Madurai District, Tamil Nadu - 625019.

Vs.

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

Case No. 117 of 2021

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham. She submitted that arguing counsel is out of country and prayed for adjournment.

We have perused the record there is some contradiction between the MOA and amended MOA.

In the interest of justice, list on 13.04.2023.

#### DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Bastin's Matriculation School, Railway Station Road, Papanasam, Thanjavur District, Tamil Nadu - 614205.

Vs.

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

Case No. 118 of 2021

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Respondent has sent by post, Counter Affidavit along with covering letter dated 15.11.2022, which was received in the Commission's Office on dated 28.11.2022 and is taken on record.

Respondent has again sent by post, Counter Affidavit along with covering letter dated November, 2022, which was received in the Commission's Office on dated 21.12.2022 and is also taken on record.

Office is directed to supply copy of the Counter Affidavits to the learned counsel for the petitioner.

We have perused the record there is some contradiction between the MOA and amended MOA.

In the interest of justice, list on 13.04.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Vidya Jain Public School, Sector - 6, Rohini, Delhi - 110085.

Vs.

Assistant Director of Education (Act), Directorate of Education, Government of NCT of Delhi, Room No. 214-A, Old Secretariat, Delhi – 110054.

Case No. 234 of 2021

14.02.2023

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner filed five documents by hand, before the Commission's Office on dated 09.02.2023, which are taken on record.

Deputy Director of Education, District North West (B)-II filed a letter dated 09.11.2022 by hand, before the Commission's Office on dated 09.11.2022, wherein it is mentioned that the petitioner school is under active consideration of the Competent Authority for recognition and is taken on record.

In the interest of justice, list on 18.04.2023.

## DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. John's Matriculation Higher Secondary School, No. 15, New Colony, Alwarthirunagar, Chennai, Tamil Nadu - 600087.

Vs.

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

Case No. 73 of 2022

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Respondent has sent by post joint reply along with another cases which are pending before the Commission, which was received in the Commission's Office on dated 17.01.2023, photocopy of the reply is taken on record.

Office is directed to supply the copy of the above reply to the learned counsel for the petitioner.

In the interest of justice, list on 18.04.2023.

# DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

National Educational Institute Intermediate College, Village - Rayapur Majre Saraiyapure Visen Post: Aliganj Bazar, PS - Kudwar, District - Sultanpur, Uttar Pradesh.

#### Vs.

- 1. Additional Chief Secretary, Department of School Education, Govt. of UP, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.
- 2. Additional Chief Secretary, Department of Secondary Education, Govt. of UP, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh

#### Case No. 140 of 2022

14.02.2023

Present: Mr. Junais P., Advocate for the petitioner. None for the respondents.

Despite service of regd. notice, none appeared on behalf of the both the respondents, even in the second round.

Learned counsel for the petitioner filed three documents by hand, before the Commission's Office on dated 20.09.2022, which are taken on record.

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

- 1. Representative of the District Collector (Chairperson)
- 2. Concerned District Education Officer (Member)
- 3. District Minority /Welfare Officer/ District Social Welfare Officer (Member Secretary)

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

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

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

List on 19.04.2023.

## DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Mar Ivanios CBSE School, Bridge Ward, Kuzhithurai P.O., Kanyakumari District, Tamil Nadu - 629163.

Vs.

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

Case No. 199 of 2022

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

4. Representative of the District Collector (Chairperson)

- 5. Concerned District Education Officer (Member)
- 6. District Minority /Welfare Officer/ District Social Welfare Officer (Member Secretary)

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

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

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

List on 25.04.2023.

# DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Golden Degree College of Arts, Science, Commerce and Management Studies, Bagur Sonnenahalli, Chikkathirupathi Post, Malur Taluk, Kolar District, Karnataka – 563160.

Vs.

Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, 6th Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001.

Case No. 200 of 2022

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

- 1. Representative of the District Collector (Chairperson)
- 2. Concerned District Education Officer (Member)
- 3. District Minority /Welfare Officer/ District Social Welfare Officer (Member Secretary)

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

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

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

List on 25.04.2023.

### DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Golden International School, Bagur Sonnenahlii, Lakkur Hobli, Chikkathirupathi Post, Malur Taluk, Kolar District, Karnataka - 563160. Vs.

Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, 6th Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001.

## Case No. 201 of 2022

14.02.2023

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

1. Representative of the District Collector (Chairperson)

- 2. Concerned District Education Officer (Member)
- 3. District Minority /Welfare Officer/ District Social Welfare Officer (Member Secretary)

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

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

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

List on 25.04.2023.

# DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER