

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

Al-Ameen Matriculation School, 4/2-4, Pallivasal Street, Valinokkam Post, Raamanathapuram District, Tamil Nadu.

V/s.

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

Case No. 287 of 2019

14.07.2022

Present: Mr. Christopher Panengad, Advocate for the petitioner.
None for the respondent.

Mr. Christopher Panengad, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

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The petition is disposed of as withdrawn.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.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's High School, Rangampali (M), Peddapalli, Karimnagar
District, Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 375 of 2019

14.07.2022

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

Learned counsel for the petitioner filed one document by hand, which is pertaining to Recognition Certificate, before the Commission's Office on dated 07.07.2022 and is taken on record.

In compliance of the Commission's earlier Order dated 02.03.2022, Physical Inspection Committee has sent their report along with covering letter dated 13.05.2022 by post, which was received in the Commission's Office on dated 30.05.2022 and the another report revived in the Commission's Office on dated 27.06.2022, both reports are taken on record.

On perusal of the Physical Inspection Report, it finds that there is a variance in the details related to the students between the MSC application filed by the petitioner and Physical Inspection report submitted by the Physical Inspection Committee.

Learned counsel for the petitioner prayed for time to clarify the position and take instruction from his client.

In the interest of justice, list on 31.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's College of Nursing, Fatimanagar, Hanamkonda, Warangal
District, Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 376 of 2019

14.07.2022

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

In compliance of the Commission's earlier Order dated 02.03.2022, Physical Inspection Committee has sent their report, which is taken on record.

On perusal of the Physical Inspection Report, it finds that there is a variance in the details related to the of students between the MSC application filed by the petitioner and Physical Inspection report submitted by the Physical Inspection Committee.

As per the physical inspection report in last four years there is not a single student is from the Christian Minority Community in the petitioner institution

Learned counsel for the petitioner prayed for time to clarify the position and take instruction from his client.

In the interest of justice, list on 31.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's High School (EM), Kazipet, Warangal District, Telangana
V/s.**

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 377 of 2019

14.07.2022

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

Learned counsel for the petitioner filed one document by hand, which is pertaining to Recognition Certificate, before the Commission's Office on dated 07.07.2022 and is taken on record.

In compliance of the Commission's earlier Order dated 02.03.2022, Physical Inspection Committee has sent their report, which is taken on record.

On perusal of the Physical Inspection Report, it finds that there is a variance in the details related to the students between the MSC application filed by the petitioner and Physical Inspection report submitted by the Physical Inspection Committee.

Learned counsel for the petitioner prayed for time to clarify the position and take instruction from his client.

In the interest of justice, list on 31.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's School of Nursing, Fatimanagar, Warangal District,
Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 378 of 2019

14.07.2022

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

In compliance of the Commission's earlier Order dated 02.03.2022, Physical Inspection Committee has sent their report along with covering letter dated 24.06.2022 by post, which was received in the Commission's Office on dated 04.07.2022 and the another report revived in the Commission's Office on dated 10.05.2022, both reports are taken on record.

On perusal of the Physical Inspection Report, it finds that there is a variance in the details related to the students between the MSC application filed by the petitioner and Physical Inspection report submitted by the Physical Inspection Committee.

Learned counsel for the petitioner prayed for time to clarify the position and take instruction from his client.

In the interest of justice, list on 31.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's School, Tadvai, Mungala Mandal, Nalgonda District,
Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad**

Case No. 379 of 2019

14.07.2022

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

None for the respondent.

Learned counsel for the petitioner filed one document, which is pertaining Recognition Certificate by hand, before the Commission's Office on dated 07.07.2022 and is taken on record.

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

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.

Learned counsel for the petitioner prayed for a copy of the reminder 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 reminder 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. 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.

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

List on 31.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**The Sana Nursery and Primary School, Old No. 17, New No. 4,
Varadarajulu Street, Egmore, Chennai, T.N.**

V/s.

- 1. Principal Secretary, Health and Family Welfare Department,
Government of T.N.**
- 2. The Principal Secretary, School Education Department,
Government of Tamil Nadu, Fort St. George, Secretariat,
Chennai, Tamil Nadu – 600009**

Case No. 623 of 2019

14.07.2022

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

Despite giving regd. notice and email to the respondent no.02, no response/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.

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

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

List on 01.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**J.H. Nursery and Primary School, No. 1/887, J.H. Nagar, V. Kulakkudi,
Komaratchi Union, Kattumannarkudil Taluk, Cuddalore Dt., Tamil
Nadu.**

Vs.

**Principal Secretary, School Education Department, Government of
Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9.**

Case No. 791 of 2019

14.07.2022

Present: Mr. Christopher Panengad, Advocate for the petitioner.
None for the respondent.

Mr. Christopher Panengad, Advocate appeared on behalf of the
arguing counsel Mr. Junais P.

Respondent has sent by post, Counter Affidavit along with covering
letter dated 26.05.2022 before the Commission's Office on dated
06.06.2022, which is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Mary's Convent School, Machingal, Sangatpura P.O., Chetanpura,
Fateh Garh Churian, Amritsar, Punjab.**

Vs.

**Director of Public Instruction (S.E), Punjab, Block E, Vidya Bhawan,
4th Floor, Complex Board, Sector 62, S.A.S Nagar.**

Case No. 794 of 2019

14.07.2022

Present: Mr. Christopher Panengad, Advocate for the petitioner.
None for the respondent.

Mr. Christopher Panengad appeared on behalf of the arguing counsel Mr. Junais P.

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 and postal stamps to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Zeenat Public School, 33/34, Jakariya Colony, Behind Noori Madrasa,
Khajrana, Indore, Madhya Pradesh - 452016**

V/s.

**Secretary, Room No. 339, Backward Classes and Minority Welfare
Department, Govt. of MP, Mantralaya, Bhopal, Madhya Pradesh**

Case No. 54 of 2020

14.07.2022

Present: Mr. B. Mathew, Advocate for the petitioner.
None for the respondent.

Mr. Christopher Panengad, Advocate appeared on behalf of the
arguing counsel Mr. Junais P.

Learned counsel for the petitioner filed six documents before the
Commission's Office on dated 28.04.2022, which are taken on record.

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

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

Learned counsel for the petitioner prayed for a copy of the
reminder 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.

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

List on 08.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**De Paul's Public School, Village - Kotrpara, Dotma P.O., Kokrajhar
District, BTAD, Assam.**

Vs.

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

Case No. 83 of 2020

14.07.2022

Present: Mr. Jose Abraham, 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 and postal stamps to the
learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Mary's English School, Ghogha Road, Near Shivaji Circle, P.B. No. 165,
Bhavnagar District, Gujarat.**

Vs.

**Commissioner of Schools, Commissionarate of Mid Day Meals and
Schools, Government of Gujarat, Sector – 10, Gandhinagar, Gujarat**

Case No. 93 of 2020

14.07.2022

Present: Mr. Jose Abraham, 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.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Don Bosco Academy, Civil Lines, Court Road, Lalitpur District, Uttar Pradesh

V/s.

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretariat, Lucknow, Uttar Pradesh.**
- 2. Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**
- 3. Secondary Education Deptt. Government of Uttar Pradesh**
- 4. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001.**

Case No. 99 of 2020

14.07.2022

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

In compliance of the Commission's earlier Order dated 06.04.2022, Physical Inspection Committee has sent an email to the Commission, which was received by the Commission on dated 24.05.2022 and stated that they have not received the proforma in which physical inspection report is required. Thereafter, Commission has send physical inspection blank profomra by email to the Committee but till now we have not received any response / report from the said Committee members.

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

Learned counsel for the petitioner prayed for a copy of the reminder 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 reminder 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 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.

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

In the interest of justice, list on 13.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

Shine Valley School, Oina Irba, Oyna, Ranchi, Jharkhand - 835217.

Vs.

**Director, Secondary Education, under School Education & Literacy
Department 3rd floor, MDI Building, S.E & L. Department Behind Project
Bhawan, PostDhurwa, Dist-Ranchi-834004.**

Case No. 103 of 2020

14.07.2022

Present: Mr. Christopher Panengad, Advocate for the petitioner.

None for the respondent.

Mr. Christopher Panengad, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

Learned counsel for the petitioner filed General Body Resolution by
hand, before the Commission's Office on dated 20.04.2022, which is taken on
record.

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

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.

Learned counsel for the petitioner prayed for a copy of the reminder
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 reminder 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 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.

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

Learned Counsel for the petitioner prayed for time to file updated
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

List on 13.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Angel's Abode Public School, Gram Badagaon Khrud, Tikamgarh,
Madhya Pradesh - 472001.**

Vs.

**Secretary, Backward Classes and Minority Welfare Department,
Government of Madhya Pradesh, Mantralaya, Bhopal, Madhya
Pradesh - 462004.**

Case No. 139 of 2020

14.07.2022

Present: Mr. Christopher Panengad, Advocate for the petitioner.
None for the respondent.

Mr. Christopher Panengad, Advocate appeared on behalf of the
arguing counsel Mr. Junais P.

Learned counsel for the petitioner filed two documents before the
Commission's Office on dated 12.04.2022, which are taken on record.

Learned counsel for the petitioner again prayed for time to comply
with the Commission's earlier Order dated 01.02.2022.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**M S Future School, Municipal No. 18-8-220/18, Riyasath Nagar,
Phisalbanda, Midhani, Hyderabad, Telangana - 500059**

V/s.

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

Case No. 294 of 2020

14.07.2022

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

None for the respondent.

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

Respondent has sent by post a letter dated 02.07.2022 along with guidelines and one unsigned letter of Mr. Ahmad Nadeem, Principal Secretary to Government of Telangana wherein he stated that Government of Telangana has not received any NOC application submitted by the petitioner institution, which was received in the Commission's Office on dated 07.07.2022 and is taken on record.

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

Learned counsel for the petitioner submitted that petitioner Institution has already submitted Post Office receipt and tracking report which is clearly reflecting that the application for grant of NOC under Section 10 of NCMEI Act 2004 was delivered to the respondent.

Office is directed to send a letter to the respondent along with Post Office receipt and tracking report and convey them as per the post office receipt and tracking report the NOC application has been delivered to the office of the respondent. So it is clear that as per the documents submitted by the petitioner clearly reflect that in this regard, your contention is not proper.

Office is also directed to sent a letter to the State Competent Authority and convey them that as per section 10 of NCMEI Act, 2004 and verdict of The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in the case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, State Competent Authority is also quite competent to reject or accept NOC application of the educational Institution.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

Convent of Jesus and Mary Girls High School, Pratappura, Arad Road, Halol, Panchmahal, Gujarat - 389350.

Vs.

- 1. Commissioner of Schools, Commissionerate of Mid Day Meals and Schools, Govt. of Gujarat, Sector – 10, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of Schools, Old Sachivalaya Block 9/1, Gandhinagar, Gujarat - 382010**

Case No. 421 of 2020

14.07.2022

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

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Orders dated 12.11.2020 and 18.01.2022.

List on 21.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**The Orbis School, Mundhwa, 35 2D, Manjari Road, Lonkar Nagar,
Mundhwa, Pune, Maharashtra - 411036.**

Vs.

**Joint Secretary, Minorities Development Department, Room No. 715,
Mantralaya (Annexe), Mumbai – 32.**

Case No. 52 of 2022

14.07.2022

Present: Mr. Javed Rashid Patel, Advocate for the petitioner.

Mr. Javed Rashid Patel, Advocate filed his Vakalatnama on behalf of the petitioner institution, which is taken on record.

Mr. Javed Rashid Patel, Advocate filed an application for 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**

SR

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

**The Orbis School, Keshavnagar, 33 3A/6, The Orbis Street, Keshav
Nagar, Mundhwa, Pune, Maharashtra - 411036.**

Vs.

**Joint Secretary, Minorities Development Department, Room No. 715,
Mantralaya (Annexe), Mumbai – 32.**

Case No. 53 of 2022

14.07.2022

Present: Mr. Javed Rashid Patel, Advocate for the petitioner.

Mr. Javed Rashid Patel, Advocate appeared on behalf of the petitioner institution and 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**

SR

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

14.07.2022

Madarsa Jamia Nazar Ul Uloom, Village- Mundiya Rasoolpur, Block Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 226001.

Vs.

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

Present: None.

An application has been received by post on 05.07.2022 from Madarsa Jamia Nazar Ul Uloom, Village- Mundiya Rasoolpur, Block Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 226001 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 not filed UID issued by Niti Ayog, envelope with postage charges for sending notice to the State Competent Authority and petitioner has left blank the column No. 2 and 6(a) of the MSC application.

Office is directed to issue show cause notice to the petitioner by e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

14.07.2022

Abdul Samad Junior High School, Village and Post - Didauli, Block - Joya, Tehsil and District - Amroha, Uttar Pradesh - 244222.

Vs.

- 1. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: None

An application has been received by post on 05.07.2022 from Abdul Samad Junior High School, Village and Post - Didauli, Block - Joya, Tehsil and District - Amroha, Uttar Pradesh - 244222 for grant of minority status certificate. It be registered.

It transpires from the petition that on 22.03.2022 the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001 instead of Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), which was received by the respondent on 24.03.2022, 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.

In this case, office has reported that the petitioner has not filed General Body Resolution to obtain MSC from this Commission, updated recognition certificate, envelop with postage charges for sending notice to the State Competent Authority and in MoA, beneficiary clause is also not proper.

Office is directed to issue show cause notice to the petitioner by e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

14.07.2022

Abdul Samad Primary School, Village and Post - Didauli, Block Joya, Tehsil and District - Amroha, Uttar Pradesh - 244222.

Vs.

- 1. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: None

An application has been received by post on 05.07.2022 from Abdul Samad Primary School, Village and Post - Didauli, Block Joya, Tehsil and District - Amroha, Uttar Pradesh - 244222 for grant of minority status certificate. It be registered.

It transpires from the petition that on 22.03.2022 the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001 instead of Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), which was received by the respondent on 24.03.2022, 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.

In this case, office has reported that the petitioner has not filed General Body Resolution to obtain MSC from this Commission, updated recognition certificate, envelop with postage charges for sending notice to the State Competent Authority and in MoA, beneficiary clause is also not proper.

Office is directed to issue show cause notice to the petitioner by e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

14.07.2022

Madarsa Darul Uloom Qadriya Gulshane Barkat, Village - Para Sarai Post - Intiyathok, District - Gonda, Uttar Pradesh - 271202.

Vs.

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

Present: None.

An application has been received by post on 05.07.2022 from Madarsa Darul Uloom Qadriya Gulshane Barkat, Village - Para Sarai Post - Intiyathok, District - Gonda, Uttar Pradesh - 271202 for grant of minority status certificate, which is in old format. 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 not filed General Body Resolution to obtain MSC from this Commission, MoA and envelope with postage charges for sending notice to the State Competent Authority.

Office is directed to issue show cause notice to the petitioner by e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

14.07.2022

- 1. Joseph Sriharsha & Mary Indraja Educational Society, Plot No. 102, High Court Colony, Vanasthalipuram, Hyderabad – 500 070, - Represented by its Chairman & Correspondent Dr. Rev. K.V.K. Rao. - Petitioner No. 1**
- 2. Dr. Rev. K.V.K. Rao, S/o. Late Venkaiah, Plot No. 102, High Court Colony, Vanasthalipuram, Hyderabad – 500 070. - Petitioner No. 2**

Vs.

- 1 State of Telangana, Rep. by its Secretary, Higher Education Department, Burugula Rama Krishna Rao Bhavan, NH-44, Hill Fort, Adarsh Nagar, Hyderabad, Telangana – 500 063 - Respondent No. 1**
- 2 The Commissioner, Collegiate Education & Technical Education Government of Telangana, Vidya Bhavan, Nampally, Hyderabad – 500 012 - Respondent No. 2**
- 3 All India Counsel for Technical Education, neson Mandela Marg, Vasant Kunj, New Delhi – 100 070. - Respondent No. 3**
- 4 Telangana State Council of Higher Education, Rep. By its Secretary, Mahavir Marg, Masab Tank Hyderabad - Respondent No. 4**
- 5 Shri Chitra Ramachandran, IAS, the then Special Chief Secretary, Higher Education Department, Burgula Rama Krishan Rao Bhawan, NH-44, Hill Fort, Adarsh Nagar, Hyderabad, Telangana – 500063 - Respondent No. 5**
- 6 Shri Sandeep Kumar Sultania, IAS (FAC), the Secretary, Higher Education Deptt., Burgula Rama Krishan Rao Bhawan, NH-44, Hill Fort, Adarsh Nagar, Hyderabad, Telangana – 500063. - Respondent No. 6**
- 7 Shri Navin Mittal, IAS, The Commissioner, Collegiate, Education & Technical Education & Technical Education, Government of Telangana, Vidya Bhawan, Nampally, Hyderabad – 500012. Respondent No. 7**

Present: Mr. Utpal Das, Advocate for the petitioner.

A petition has been received by hand on 17.05.2022 from the above mentioned petitioners against the deprivation and Violation of Rights of Minorities to establish and Administer the proposed Institution of their choice, u/s 11 (b) & (f), 12D, 12E and 10(3) of NCMEI Act 2004. It be register under the miscellaneous head of cases.

Contd..

**Joseph Sriharsha & Mary Indraj Educational Society, Hyderabad – 500 070
& Ors.**

Vs

State of Telangana, Hyderabad, Telangana – 500 063 & Ors.

Continued from pre-page.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition as per the law and procedure at the appropriate stage. Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return envelope and postage charges to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K