Bafna College, Thandla Road, Meghnagar P.O., Jhabua District, Madhya Pradesh - 457779.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Govern ment of Madya Pradesh, Mantralaya, Bhopal, Madhya Pradesh.

Case No. 200 of 2020

07.11.2023

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

- 1. Mr. Prasanth Kulambil, Advocate appeared on behalf of the arguing counsel Mr. Junais P.
- 2. Heard, learned counsel for the petitioner.

Reserved for Orders.

DR. SHAHID AKHTER MEMBER

Don Bosco College (Co-Ed), Guezou Nagar, Yelagiri Hills, Vellore District, Tamil Nadu - 635853.

Vs.

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

Case No. 01 of 2021 07.11.2023

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

- 1. Despite sending the 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.
- 2. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 10.01.2024.

DR. SHAHID AKHTER MEMBER

St. Joseph's School, Lakhari, Pachambi P.O., Giridih Dt., Jharkhand - 815316.

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi 834004.

Case No. 132 of 2021

07.11.2023

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

- 1. Learned counsel for the petitioner filed two documents by hand, before the Commission's Office on dated 02.11.2023, which are taken on record.
- 2. Learned counsel for the petitioner filed six documents by hand, before the Commission's Office on dated 24.08.2023, which are taken on record.
- Heard, learned counsel for the petitioner.
 Reserved for Orders.

DR. SHAHID AKHTER MEMBER

St. Joseph's School, Tickamagha, Mirzaganj P.O.,Giridih Dt., Jharkhand - 815315.

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post- Dhurwa, Dist-Ranchi-834004.
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi-834004.

Case No. 135 of 2021 07.11.2023

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

- 1. Learned counsel for the petitioner filed six documents by hand, before the Commission's Office on dated 31.08.2023, which are taken on record.
- 2. Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.
- 3. Leave and liberty is granted.
- 4. The petition is disposed of as withdrawn.
- 5. Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

DR. SHAHID AKHTER MEMBER

St. Josephs School, Patabeda, Pallahara, Angul District, Odisha - 759119.

Vs.

Director, Secondary Education 6th Floor, HOD Building, Unit-V, Bhubaneswar, Khordha, Odisha.

Case No. 235 of 2022

07.11.2023

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

1. Heard, learned counsel for the petitioner.

Reserved for Orders.

DR. SHAHID AKHTER MEMBER

Jain Public School, Badnagar-Badnagar Road, Near Toll Tax, Naka Gram, Dhaulana, Ujjain, Madhya Pradesh - 456771.

Vs

Secretary, Backward Classes and Minority Welfare Department, Government of M.P., Room No. 339, Mantralaya, Bhopal, M.P. - 462004.

Case No. 236 of 2022

07.11.2023

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

- 1. Mr. Prasanth Kulambil, Advocate appeared on behalf of the arguing counsel Mr. Junais P.
- 2. Learned counsel for the petitioner filed five documents by hand, before the Commission's Office on dated 14.09.2023, which are taken on record.
- Heard, learned counsel for the petitioner.
 Reserved for Orders.

DR. SHAHID AKHTER MEMBER

Jesus and Mary Convent School, HS -12, Delta - III, O - Block, Greater Noida, Gautam Budh Nagar District, Uttar Pradesh - 201308.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.
- 2. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001.

Case No. 244 of 2022

07.11.2023

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

- 1. Learned counsel for the petitioner updated Unique ID by hand, before the Commission's Office on dated 01.11.2023, which is taken on record.
- 2. An email dated 06.09.2023 has been received from District Minority Welfare Office, Gautam Budh Nagar, Uttar Pradesh, which is taken on record.
- 3. On dated 06.11.2023, Physical Inspection Report has been received by email from District Magistrate, Gautam Budh Nagar, Uttar Pradesh, it appears to be a copy of the Physical Inspection Report and is taken on record.
- 4. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 31.01.2024.

DR. SHAHID AKHTER MEMBER

St. Thomas School, Sunari, Bichpuri P.O., Agra District, Uttar Pradesh - 283105.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001

Case No. 245 of 2022

07.11.2023

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

- 1. Despite sending the 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.
- 2. Learned counsel for the petitioner updated Unique ID by hand, before the Commission's Office on dated 01.11.2023, which is taken on record.
- 3. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 31.01.2024.

DR. SHAHID AKHTER MEMBER

St. John Pauls School, John Paul Road, Bharapura, Fatehabad, Agra District, Uttar Pradesh - 283111.

Vs

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001.

Case No. 246 of 2022

07.11.2023

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

- 1. Despite sending the 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.
- 2. Learned counsel for the petitioner updated Unique ID by hand, before the Commission's Office on dated 02.11.2023, which is taken on record.
- 3. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 31.01.2024.

DR. SHAHID AKHTER MEMBER

St. Peter's School, Runakta Road, Kiraoli, Agra District, Uttar Pradesh - 283101.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001

Case No. 247 of 2022

07.11.2023

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

- 1. Despite sending the 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.
- 2. Learned counsel for the petitioner updated Unique ID by hand, before the Commission's Office on dated 02.11.2023, which is taken on record.
- 3. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 31.01.2024.

DR. SHAHID AKHTER MEMBER

St. Thomas School, C-1, Shastripuram, Near Prakshi Enclave, Police Chowki, Agra District, Uttar Pradesh - 282007.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001

Case No. 248 of 2022

07.11.2023

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

- 1. Despite sending the 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.
- 2. Learned counsel for the petitioner updated Unique ID by hand, before the Commission's Office on dated 02.11.2023, which is taken on record.
- 3. Office is directed that if original Physical Inspection Report duly signed by all the three members of the Physical Inspection Committee is not received, then again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.

In the interest of justice, list on 31.01.2024.

DR. SHAHID AKHTER MEMBER

Muhyiddeen Matriculation Higher Secondary School, 141, Keela Nainar Street, Kayalpatnam, Thoothukudi District, Tamil Nadu-628 204.

Vs

The Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009.

Case No. 52 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed 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 along with Rejoinder Affidavit before the Commission's office on 2.11.2023, which are taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

Learned counsel for the petitioner has prayed for time to file updated recognition certificate issued by the State Examination Board. Time prayed for is allowed.

In the interest of justice, list on 15.2.2024.

DR. SHAHID AKHTER MEMBER

Integral Degree College, Saifini, Rampur, Uttar Pradesh- 244 922.

Vs.

Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh- 226 001.

Case No. 53 of 2023 7.11.2023

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

None for the respondent.

Despite letter 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 Physical Inspection Committee till now.

Office is directed to 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, if the inspection report is not received till sending the reminder letter.

Learned counsel for the petitioner is directed to file certified copies of the relevant documents which are not attested by Sh. Deo Raj Singh, Notary Public as we have sent a letter to the State Competent Authority for cancellation of Registration of Sh. Deo Raj Singh as Notary Public.

In the interest of justice, list on 15.2.2024.

DR. SHAHID AKHTER MEMBER

H.A. English School, Near Ashiana Colony, Bisra, Sundargarh, Orissa- 770 036.

Vs.

Director, Secondary Education, 6th Floor, HOD Building, Unit - V, Bhubaneswar, Khordha, Odisha.

Case No. 54 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed 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 along with Rejoinder Affidavit before the Commission's office on 26.10.2023, which are taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

Learned counsel for the petitioner has prayed for time to file updated recognition certificate issued by the State Examination Board. Time prayed for is allowed.

In the interest of justice, list on 15.2.2024.

DR. SHAHID AKHTER MEMBER

St. Anne's Academy Matriculation School, Vembarpatti P.O., Dindigul District, Tamil Nadu- 624 308.

Vs.

The Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009.

Case No. 65 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has prayed for time to file updated recognition certificate issued by the State Examination Board. Time prayed for is allowed.

At the request of the learned counsel for the petitioner, office is directed to issue notice to the respondent by registered AD and e-mail.

In the interest of justice, list on 15.2.2024.

DR. SHAHID AKHTER MEMBER

St. Peter Academy, Chhatarpur Road, Mamna, Mahoba District, Uttar Pradesh- 210 427.

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Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh- 226 001.

Case No. 76 of 2023 7.11.2023

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

None for the respondent.

Learned Counsel for the petitioner has filed notarized copy of the recognition order and updated unique ID before the Commission's office on 31.10.2023, which are taken on record.

This case was fixed for final arguments. I have perused the file. The name of the petitioner society mentioned against Col. No. 1 (d) of the petition, in Memorandum of Association, Rules & Regulations, amended Memorandum of Association & amended Rules & Regulations is "Catholic Diocese of Jhansi Education Society". However, the said name is mentioned as "Catholic Diocese of Jhansi Educational Society" in Certificate of Registration and declaration part of the petition. Hence, there is variance between proof and pleading.

Learned counsel for the petitioner is directed to clarify the said inconsistency.

In the interest of justice, list on 20.2.2024.

DR. SHAHID AKHTER MEMBER

R.C.M. Primary School, St. Thomas Mount, Chennai, Tamil Nadu- 600 016.

Vs.

The Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009.

Case No. 88 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed seven documents before the Commission's office on 31.10.2023, which are taken on record.

Learned counsel for the petitioner has also filed 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 along with Rejoinder Affidavit before the Commission's office on 24.8.2023, which are also taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

In the interest of justice, list on 20.2.2024.

DR. SHAHID AKHTER MEMBER

St. Mark's Primary School, No. 28, Mohanapuri, 2nd Street, Brindavan Nagar, West Velachery, Chennai, Tamil Nadu- 600 088.

Vs.

The Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009.

Case No. 89 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed seven documents before the Commission's office on 31.10.2023, which are taken on record.

Learned counsel for the petitioner has also filed 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 along with Rejoinder Affidavit before the Commission's office on 24.8.2023, which are also taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

In the interest of justice, list on 20.2.2024.

DR. SHAHID AKHTER MEMBER

St. Mary's English School, Berigai Road, Schoolagiri, Krishnagiri District, Tamil Nadu.

Vs

Principal Secretary, School Education Department, Government of Tamil Nadu- 600 009.

Case No. 126 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed updated Unique ID of the petitioner society before the Commission's office on 2.11.2023, which is taken on record

Despite notice 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 Physical Inspection Committee till now.

Office is directed to 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, if the inspection report is not received till sending the reminder letter.

In the interest of justice, list on 20.2.2024.

DR. SHAHID AKHTER MEMBER

Divine Mercy School, Mavi Road, Orai, Jaluan District, Uttar Pradesh- 258 001.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu- 600 009.

Case No. 202 of 2023 7.11.2023

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

None for the respondent.

Learned counsel for the petitioner has filed updated Unique ID of the petitioner society, which is taken on record.

Despite service of notice by registered AD and email, there is no appearance on behalf of the respondent even in second round and no reply has been filed by the respondent. In the facts and circumstances of the case, it would be proper that physical inspection report alongwith the recommendations may be obtained from the Committee consisting of the following members for issuance of the minority status certificate to the petitioner institution:-

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

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

In the interest of justice, list on 21.2.2024.

DR. SHAHID AKHTER MEMBER

President, Jain Vidya Mandir High School, Near New Subzi Mandi, Sonepat, Haryana - 131001.

Vs.

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

Misc Case No. 8 of 2023 7.11.2023

Present: Mr. Rakesh Kumar Jain for the petitioner.

Mr. Rakesh Kumar Jain 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. SHAHID AKHTER MEMBER

Falah-E-Milat Multipurpose Educational & Welfare Society, Shegaon, Tq. Shegaon, District - Buldhana.

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State of Maharashtra Secretary, Department of Minority Development, Mantralaya, Mumbai.

Unregistered Appeal 7.11.2023

Present: Mr. Prasanth Kulambil, Advocate for the appellant.

None for the respondent.

Heard learned counsel for the appellant. This appeal may be registered.

Office is directed to issue notice to the respondent by registered AD and email.

In the interest of justice, list on 21.2.2024.

DR. SHAHID AKHTER MEMBER