

Allahabad High Court

A.Y.T. College Of Education ... vs State Of U.P.Through Its Secy. ... on 27 July, 2010

Court No. - 1

Case :- MISC. BENCH No. - 7034 of 2010

Petitioner :- A.Y.T. College Of Education Deoria Through Its Manager

Respondent :- State Of U.P.Through Its Secy. Higher Education Govt. Of U.P

Petitioner Counsel :- O.P.Srivastava

Respondent Counsel :- C.S.C.,S.P.Shukla,Sandeep Dixit

Hon'ble Pradeep Kant,J.

Hon'ble Ritu Raj Awasthi,J.

Notice on behalf of respondent no.1 has been accepted by the learned Chief Standing Counsel, on behalf of respondent no. 2 by Sri Sandeep Dixit and on behalf of respondent no.3 by Sri S.P. Shukla.

After hearing the learned counsel for the parties, we are, prima facie, satisfied that the objections, which have been raised by the State Government are non- existent and absolutely frivolous.

Under the norms prescribed by the NCTE, the minimum area required for running the B.Ed. course is 2500 square meter and the minimum built up area is 1500 square meter, whereas the objection says that the land is less than 10,000 square meter.

There is also a Khatauni on record, which says that the land is still recorded in the name of the institution and the second objection in respect of the area being 10,000 square meter is absolutely meaningless. We take notice of the fact that the order was to be passed in compliance of the order passed by the High Court in the earlier writ petition, but it apparently appears that the State Government, not being interested with the compliance of the order and being predetermined that the affiliation be not extended, has raised the aforesaid objections.

Let this matter be listed on 2.8.2010, as fresh. On the next date, the State shall explain as to why such objections have been raised, which do not stand under rules and also on factual basis and why permission be not granted for extending affiliation forthwith. Order Date :- 27.7.2010 Sachin