

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.684 of 2015

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ORDER:

Heard.

This writ petition is directed against reply notice, dated 01-12-2014 issued by the 3rd respondent.

The grievance of the petitioner is that it is a Board registered under the Societies Registration Act, 1860 at New Delhi and the Board is also duly certified as a minority educational institution under Certificate, dated 30-04-2013 issued by the National Commission for Minority Educational Institutions. The petitioner also states that the Urdu Academy Delhi as well as the State of Maharastra and the State of Bihar already recognized its courses and given equivalency Certificate. But, however, the request made by the petitioner to respondents 3 and 4 for recognition is not being considered. Hence, the petitioner issued legal notice to the 3rd respondent on 20-11-2014, which was replied by the 3rd respondent under the impugned reply notice rejecting the request of the petitioner for recognition.

I have heard the learned counsel for the petitioner, Smt.A.Padma, learned counsel representing the 3rd respondent and S r i A.Abhishet Reddy, learned counsel representing the 4th respondent.

I am unable to accept that reply legal notice can be an impugned order for the purpose of issuing Mandamus against the 3rd respondent. If the petitioner is desirous of seeking recognition for its courses, it has to make an application to respondents 3 and 4 giving details of the syllabus and curriculum, which the petitioner is offering to its students so as to enable respondents 3 ad 4 to examine whether the certificate of equivalency can be granted to the petitioner. Since no

such application is on record, in my view, it is appropriate to dispose of the writ petition permitting the petitioner to make appropriate application before respondents 3 and 4 seeking equivalency certificate or affiliation as sought for by the petitioner, so as to enable respondents 3 and 4 to examine the same on its own merits and take appropriate decision in accordance with law expeditiously.

Accordingly, the writ petition is disposed of. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 29-01-2015

Prv

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