

THE HONOURABLE MR JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.4310 of 2015

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ORDER

Heard learned counsel for the petitioners and learned Government Pleader for School Education.

2. The first petitioner is the Association and petitioners 2 to 9 are the minority colleges, who are seeking recognition to accept them to participate in SW-II counseling. It is not in dispute that each college is required to comply with fire safety norms. It is the grievance of the first petitioner that in so far as the other petitioners are concerned, who have asked for four months time under their representation

dated 29.01.2015, the impugned proceedings dated 19.02.2015, were issued by the Director of School Education, declining to grant the extension of time and thereby petitioners 2 to 9 have approached this Court along with their Association as first petitioner seeking further time to comply with the fire safety norms and in the meanwhile, permit them to participate in SW-II counseling.

3. Learned Government Pleader for School Education has brought to the notice of this Court the proceedings of the Commissioner and Director of School Education in Rc.No.172/N1-3/scert/14-85, dated 20.10.2014, wherein the request for renewal of temporary provisional affiliation for the academic year 2014-15 was granted subject to the condition of each college rectifying the

defects and complying with the fire safety norms by 31.01.2015. The proceedings also state that the renewal of temporary provisional affiliation is liable for withdrawal by the competent authority if the college is still found to be violating the rules/instructions. Learned Government Pleader states that 42 minority colleges were accordingly given time up to 31.01.2015 and except petitioners 2 to 9, who are 8 colleges, all other colleges are reportedly complied with all the requirements and have submitted NOCs to the DFOs concerned.

4. Evidently therefore, there is no reason why the petitioners could not comply with the requirements as notified by the Commissioner and Director of School Education. Though the petitioners had sought four months time, which is a longer period, it would be in the interest of justice to extend the time to comply with all the requirements including fire safety measures by petitioners 2 to 9 up to 31.03.2015 subject to an undertaking to be filed to that effect by each of petitioners 2 to 9 Colleges before the Director of School Education- respondent No.2. On filing of such undertaking, the Director of School Education shall permit petitioners 2 to 9 to participate in SW-II counseling. It is, however, open for the Director of School Education to specify in that order itself that the temporary provisional affiliation granted in pursuance of this order shall be withdrawn by him in the event of petitioners 2 to 9 failing to comply with the deficiencies on or before 31.03.2015 and filing a compliance report before him.

5. With the above directions, the Writ Petition is disposed of.

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V. AFZULPURKAR, J

25th February, 2015

Note:

Issue CC tomorrow

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