

CWP No. 17007 of 2014 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.17007 of 2014 (O&M)
Date of decision : September 15, 2017

Doon Valley Trust

..... Petitioner

v.

National Council for Teacher Education and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : None for the petitioner.

Mr. AS Virk, Advocate
for respondent No.2.

Mr. Amit Rao, Advocate
for Mr. Anurag Goyal, Advocate
for respondent No.4.

Ajay Tewari, J (Oral)

By this writ petition, the petitioner has challenged the action of respondent No.1 in not permitting it to change the premises of Doon Valley College of Education Chirao to Sector 17, near fire brigade station, Karnal and further to keep the admission for B.Ed course for the session 2014-2015 in abeyance till the approval for shifting of the premises is allowed. Originally when notice of motion was issued, the interim prayer was allowed. However, thereafter another organization, namely, Naraini Educational and Charitable Society filed an application bearing CM No.11206 of 2014 praying that in fact it had become the operating agency of

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the College situated at village Chirao since the petitioner had gifted those premises to it but later-on the petitioner had filed the present writ petition. It was further prayed that in fact the Naraini Educational and Charitable Society was well equipped to impart education in the B.Ed course for the year 2014-2015 and consequently prayed that the interim order be vacated. By an order dated 17.9.2014 the interim order was vacated and consequently admissions for the Session 2014-2015 were allowed. By an order dated 24.9.2015, the Naraini Educational and Charitable Society was impleaded as respondent No.4. As per the written statement filed by respondent No.1, it transpires that a dispute regarding premises at Chirao has been going on between the petitioner and respondent No.4 and even civil suits are pending between the parties. The fact of pendency of the civil suit regarding the control and management of Chirao campus has not been disclosed in the writ petition and no replication has been filed to controvert the averments regarding the pendency of civil suits as made in the reply filed by respondent No.1. Moreover, the real dispute was of admission which was carried in 2014-2015 and that dispute came to an end by order dated 17.9.2014 as noted above. In the circumstances, this writ petition is dismissed. Since none has appeared on behalf of the petitioner, liberty is granted to it to move an application for recalling of this order if any thing survives.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

(AJAY TEWARI)
JUDGE

September 15, 2017
'kk'

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No

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