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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2491/2019 & CM APPL. 11614/2019**

RATTAN BUCHI JEE SEWA SAMITI Petitioner
Through: Mr. Ashish Upadhyay, Adv.

versus

SECRETARY, EDUCATION DEPARTMENT & ORS.
..... Respondents
Through: Mr. Anupam Srivastava, ASC for
R-1, 2 & 5.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
19.03.2019

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CM APPL. 11614/2019 (exemption)

Allowed, subject to just exceptions.

W.P.(C) 2491/2019

1. Petitioner has filed this writ petition seeking direction and prayer as is indicated below:

“1. The respondent No. 1 and 2 may kindly be directed to Inquire wilful Violation of the Conditions of Recognition by the respondent no. 3 i.e. Shri Motinath Sanskrit Mahavidyalaya, at Bander Wali Khui, Ramesh Nagar, New Delhi And to cancel the recognition of the respondent no. 2.

2. Further the Respondent No. 1 and 2 be directed to conduct an Enquiry And To Take Action Against The Errant Officials Responsible For The Inaction And Delay On The Part Of The Respondent no. 1 in view of the facts stated above.

3. *The Respondent No. 4 may kindly be directed to cancel affiliation of the respondent no. 3 i.e. Shri Motinath Sanskrit Mahavidyalaya, at Bander Wali Khui, Ramesh Nagar, New Delhi in view of the facts and circumstances stated above.*

4. *The respondent No. 1 and 2 may kindly be directed to take appropriate action against the Respondent No. 3 for non-compliance of the directions / circulars issued by the respondent no. 1 and 2 as per law.*

5. *The respondent No. 5 be directed to register an FIR or to take any action as contemplated in law against the management of the Respondent No. 3 and the officials of the Respondent No. 1 and 2, if any illegalities is found to have been committed for which the penal provisions are attracted.”*

2. The matter was listed before the learned Single Bench and the learned Single Bench treating it to be a Public Interest Litigation has placed it before us.

3. Considering the fact that the representation filed by the petitioner in this regard is pending and the competent authority, namely, respondents No.1 and 2 are to look into the matter, for the present, we are not inclined to interfere into the matter. Respondents No.1 and 2 may look into the grievance of the petitioner, issue notice to respondent No.3, hear them and thereafter take a decision in the matter. We are constrained to pass the aforesaid order only considering the fact that it is the case of the petitioners that the students are reluctant to approach this Court as they are afraid to file the petition in their name.

4. Taking note of all these circumstances, without expressing any opinion on the merits of the allegation made and without taking cognizance of the same, we only direct the respondents No.1 and 2 to look into the

grievance and proceed in accordance with law.

5. With the aforesaid, the writ petition stands disposed of.

CHIEF JUSTICE

ANUP JAIRAM BHAMBHANI, J

MARCH 19, 2019

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