

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8989 of 2018

Managing Committee of **Petitioner**
Upendranath Girls High School,
Mr. Jyotirmay Gupta, Advocate
-versus-
State of Orissa & others **Opp.parties**
Mr. P.K.Panda, Standing Counsel for the School
and Mass Education Department

CORAM:
JUSTICE M.S.SAHOO

ORDER
27.04.2022

Order No.

5. 1. This matter is taken up through hybrid mode.
2. The writ petition has been filed by the petitioner-Institution through its Secretary challenging the order dated 05.11.2016.
3. The impugned order dated 05.11.2016 passed by the Director-opposite party no.2 states as follows :-
- “... Therefore, the committee decided to reject the proposal. It was also decided to allow the school to apply for NOC after fulfilling the requisite conditions as per the provisions made in Resolution No.14219/SME dated 21.06.2013.”*
4. In view of the observations of the Director allowing the petitioner's School to apply “No Objection Certificate”, after fulfilling the requisite conditions as per the resolution dated 21.06.2013, learned counsel for the petitioner submits that the petitioner may be permitted to withdraw the writ petition, inasmuch as, the pendency of the writ petition, has not helped the Institution in any manner since 2018, as they are yet to apply for such, recognition and/or NOC.
5. Learned Standing Counsel referring to the averments made in the writ petition as well as counter affidavit filed by opposite party no.3 submits that such prayer of the petitioner cannot be opposed as the Director has already directed the petitioner to

fulfill the necessary requirements and apply for NOC and/or recognition.

6. Having heard the learned counsel for the parties, the writ petition is disposed of with the following order:-

The petitioner-institution shall apply as observed in the order dated 05.11.2016 giving all relevant particulars, documents and other records for consideration by the appropriate authority for grant of NOC and/or recognition. The authority shall consider the same in accordance with law, expeditiously and also allow the petitioner to comply with any requirement, if directed by the authority by giving reasonable time.

7. The authority shall act upon the application of the petitioner that shall be produced along with the certified copy of this order and pass necessary orders, as expeditiously as possible, preferably within a period of six months.

8. The authority shall communicate the petitioner, the final decision within three weeks.

Urgent certified copy of this order be granted on proper application.

Coy of the order be uploaded in the official website.

(M.S.Sahoo)
Judge