

Item-
25. 20-05-2025

FMA 635 of 2022
CAN 1 of 2022

sg

Mandira Pal
Vs.
The Union of India & Ors.

Ct. 8

Mr. Nandlal Singhania

...for the respondent nos.1 & 2

1. The appeal is arising out of an order dated 17th December, 2021 passed by the learned Single Judge in a writ petition.
2. The appellant is not represented. The respondent nos. 1 and 2 are represented. However, we have perused the impugned order forming subject matter of this appeal. The writ petition was filed seeking mandamus on the National School of Drama, New Delhi, to impart all instructions in English and in all regional languages as opposed to only Hindi.
3. The writ petitioner has submitted before the learned Single Judge that the petitioner does not have a working knowledge of Hindi and was disqualified by the National School of Drama from the selection process. Since Hindi is a regional language, the National School of Drama should also include Bengali as a medium of instruction. The National School of Drama pointed to a jurisdiction clause and opposed to any prayer granted in favour of the petitioner.

4. The writ petitioner admittedly, did not participate in the selection process. Moreover, it appears that the Admission Notice 2021 for the Three Year Diploma Course in Dramatics 2021-2024 provides that in case of any legal dispute, the High Court Delhi would have the jurisdiction to entertain the dispute. It appears that the decision of a learned Single Judge in *Pankaj Panwar vs. Lalit Kala Akademi* reported in *AIR 2015 Cal 67* corresponding to *(2014) 3 Calcutta Law Times* demonstrates that a writ court can assume jurisdiction where the effect of the impugned act is suffered by the writ petitioner. The learned Single Judge also seems to have relied upon an decision in *MAT 1569 of 2019 (Pramila Mistry vs. The Union of India & Ors.)* of an unreported decision passed by a Division Bench, where the National School of Drama was a party before this Court in support of the submission that the Court has territorial jurisdiction.

5. Even if we assume that the cause of action is arising within the jurisdiction, it appears that he has not participated in the selection process of the National School of Drama and has taken objection to selection guidelines only on the basis the language barrier contained in the selection guideline. Moreover, the diploma course was for 2021-24 and as on date, no relief could have been provided in favour of the writ petitioner, even if we hold that the Court may have jurisdiction.

6. On such consideration, we are not inclined to interfere with the order passed by the learned Single Judge. The appeal and the application are dismissed.

(Soumen Sen, J.)

(Smita Das De, J.)