| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS |
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| | | | **WPMS/2911/2024**<br><br>C.R.S.T. Inter College, Nainital --Petitioner<br>**Versus**<br>Additional Director & Others --Respondent<br><br>**Hon'ble Manoj Kumar Tiwari, A.C.J.**<br><br>None appears for the petitioner.<br>Mr. Manoj Kumar, Central Govt. Counsel, for the respondents.<br><br>(2) By means of this writ petition, petitioner has sought the following reliefs:<br>*"I. Issue a writ, order or direction in the nature of Certiorari to quash the order dated 11.6.2024 passed by the Additional Director General, NCC Directorate, Uttarakhand, withdrawing the NCC unit from CRST Inter College, Nainital.*<br>*II. Issue a writ, order or direction in the nature of Certiorari to restore the NCC unit to CRST Inter College, Nainital, and provide the institution with an opportunity for a fair hearing before making any further decisions affecting the NCC unit."*<br><br>(3) Impugned order dated 11.6.2024 is on record as Annexure-1 to the writ petition. The said order conveys approval of Additional Director General, NCC Directorate, Uttarakhand for withdrawal of NCC from CRST Inter College, Nainital with immediate effect. A counter affidavit is filed by Colonel Arun Kumar Singh, Director, NCC Directorate, Uttarakhand, Dehradun, wherein it is stated that CRST Inter College has a total strength of about 140 students only, who are studying from 6$^{th}$ to 12$^{th}$ Standard; combined strength of 11$^{th}$ and 12$^{th}$ Class was less than 40 during the last two years; enrolment for NCC in the college was undertaken twice in the month of August, 2022 and there were only 16 students present for enrolment against 20 vacancies and only 10 students were found suitable to join NCC, as remaining 6 students refused to join NCC. It is |

further stated that Associate NCC Officer of the college showed lack of interest in the activities of NCC and there was extremely poor performance of cadets in ‘B’ certification examination inasmuch as against total 17 NCC Cadets from the college, only 3 cadets appeared in ‘B’ certification examination, held in February 2023, and all of them failed, scoring less than 197 marks out of 500.

(4) Learned Counsel appearing for the respondents submits that the cadets from CRST Inter College participated in only one event (Yoga Day) and Associate NCC Officer of CRST Inter College participated in no activity. He further submits that the cadets as well as Associate NCC Officer of the college appear to be disinterested towards activities of NCC, therefore the decision was taken to withdraw NCC from the college.

(5) Counter affidavit was filed in the month of February 2025, but rejoinder thereto has not been filed. Since the averments made in the counter affidavit remain unrebutted, therefore, this Court has no other option but to treat them to be true. Since the Associate NCC Officer and students of the college expressed disinterest in the activities of NCC and the strength of students in the said college was also found to be abysmally low, therefore, the decision taken by the competent authority to withdraw NCC from the said college cannot be said to be arbitrary so as to warrant interference under Article 226 of the Constitution. Thus, this Court do not find any reason to interfere in the matter. Writ petition fails and is dismissed.

**(Manoj Kumar Tiwari, A.C.J.)**

**30.10.2026**
Pr

PRABODH KUMAR

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