

e. 8.1002 (3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH

AT BILASPUR

WRIT PETITION No. 1980 OF 2004

PETITIONER : Nandgaon Shiksha Mandal
a registered society through
its President A.B. Dubey
S/O Late S.P. Dubey, aged
about 79 years,
C/O Vidhi Mahavidyalaya
G.E. Road, Rajnandgaon(C.G.)

P.R. No. 1987/04
Presented by Shri. Rajesh Yadav
dated 12-7-04

V E R S U S

RESPONDENTS

- (1) Indira Gandhi Krishi
Vishwavidyalaya
Through Registrar
Krishak Nagar
Raipur(C.G.)
- (2) Board of Management
Through Secretary
Indira Gandhi Krishi
Vishwavidyalaya
Krishak Nagar,
Raipur (C.G.)

Received
12/7/04



Before : HON'BLE THE CHIEF JUSTICE AND HIS
CAMPANION JUDGES OF THE HON'BLE
HIGH COURT OF JUDICATURE AT
BILASPUR

PETITION UNDER ARTICLES 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF
SUITABLE DIRECTIONS, ORDERS OR WRITS
INCLUDING WRITS IN THE NATURE OF MANDAMUS
CERTIORARI ETC .

The humble petition of the petitioner above
named most respectfully sheweth as under :-

(1) PARTICULARS OF THE PETITIONER :

आदेश पत्रक

मामला क्रमांक N.P. 1980/09 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>31.8.2004</p> <p>Shri Shashank Dubey, counsel for the petitioner.</p> <p>Shri Kishore Bhaduri, counsel for the respondents.</p> <p>Heard both the counsel.</p> <p>Learned counsel for the respondents submits that even though reply has been filed on behalf of the respondents, as the main grievance of the petitioner is that the order of re-location of the College has been withdrawn without giving an opportunity of hearing to the petitioner, the petitioner is also apprehending that even his affiliation may be cancelled. He further submits that if the petitioner makes a detailed representation raising all his grievances, then the respondents will consider the same in an objective manner.</p> <p>The petitioner's case is that it is a registered Society running a Law College at Rajnandgaon known as Pt. Kishorilal Shukla Vidhi Mayavidyalaya. The Society has been running the Law College successfully for the last 40 years and has acquired an impeccable name and reputation for itself. The Society was earlier allowed to open an Agricultural College at Rajnandgaon, as there were certain difficulties, considering those difficulties the petitioner Society was allowed to shift and relocate the Agricultural College from Rajnandgaon to Chowki on 5.7.2004. Based on that, the petitioner Society has already admitted as many as 81 students, out of which 38 students are from tribal community, 23 students belong to Scheduled Caste and remaining 20 belong to OBC. Not even a single candidate of general category has been admitted.</p> <p>Learned counsel for the petitioner submits that if the re-location order is withdrawn, then the career of all these students will be in jeopardy. Since</p>	

आदेश पत्रक

W.P. 1980/04

मामला क्रमांक

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>this college has been relocated at such a place where most downtrodden people reside they will be deprived of education, which the petitioner wants to impart to the tribal people. He further submitted that it is not the case that the petitioner is a bogus Society, the petitioner Society have already Rs.30 lakhs in their account, so far they have not collected any amount from the students, whatever they have invested, they have invested from their own account and they have taken the building on rent and order has been withdrawn abruptly.</p> <p>As learned counsel for the respondents very fairly agreed that if the petitioner makes a detailed representation, the University will definitely give them opportunity of hearing and thereafter, they will pass the final order, therefore, looking to the above facts and circumstances of the case and as agreed upon by both the counsel, the petitioner is directed to make a detailed representation raising all these points within a period of one week, and thereafter, the University shall examine the representation objectively, giving opportunity of hearing to the petitioner, decide the case within one month in an objective manner taking into consideration all points which are just argued by the counsel for the petitioner and raised in the representation. The University shall also take into consideration the future of the students while deciding the case.</p> <p>With these observations and directions, the petition stands disposed of. Parties are entitled for certified copy of this order.</p>	<p>Sd/- L.C. Bhadoo Judge</p>

Soma/Roshan

[पीछे देखिये]