



and other connected matters entitled Maa Vaishno Devi Mahila Mahavidyalaya v. State of U.P. & Ors., this Court inter alia prescribed the schedule for recognition and affiliation under the National Council for Teacher Education Act in paragraph 70 of the judgment.

3. In the aforesaid schedule, the last date for the issuance of formal order of recognition by the National Council for Teacher Education to an institution was fixed as 3rd March of each year and the last date for submitting proposal for affiliation was fixed as 10th of March each year. The State Government, however, by its order dated 2nd January, 2013 fixed the last date for submission of proposal for affiliation as 28th February, 2013.

4. In the instant case, order of recognition was received by the petitioner-institution on 1st March, 2013 and, accordingly, the petitioner applied for affiliation on 1st March, 2013. The application of the petitioner-institution for affiliation has not been processed by the University and the State Government on the ground that as per the order dated 2nd January, 2013 of the State Government the proposal for affiliation should have been submitted by 28th February, 2013.

5. In our view, the State Government by fixing the last date for submission of proposal for affiliation as 28th February, 2013 instead of 10th March, 2013 as per the schedule fixed by this Court in the aforesaid judgment has created a lot of confusion and for this confusion created by the State Government, the petitioner-institution should not suffer.

6. In these extraordinary circumstances, we direct Chaudhary Charan Singh University as well as the State of Uttar Pradesh to process the application for affiliation of the petitioner-institution for the B.Ed. Course for the Academic Session 2013-14 and to complete the process of affiliation and communicate the decision before 15th May, 2013.

7. We make it clear that in case the University and the State Government find that the institution can be granted affiliation as per its norms, the affiliation will apply for the Academic Session 2013-14.

8. The Writ Petition is disposed of. This order has been passed in the peculiar facts and circumstances of this case and will not be treated as a precedent by the High Court to deviate from the time schedule fixed in the aforesaid judgment.

.....J  
[A.K. PATNAIK]

.....J  
[A.K. SIKRI]

NEW DELHI  
May 09, 2013.

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 243 of 2013

NIMT INSTITUTE OF EDUCATION . . . . . PETITIONER

VERSUS

STATE OF U.P. & ORS. . . . . RESPONDENTS

O R D E R

We have heard learned counsel for the parties.

2. By judgment delivered by this Court in W.P.(C) No. 276 of 2012 and other connected matters entitled Maa Vaishno Devi Mahila Mahavidyalaya v. State of U.P. & Ors., this Court inter alia prescribed the schedule for recognition and affiliation under the National Council for Teacher Education Act in paragraph 70 of the judgment.

3. In the aforesaid schedule, the last date for the issuance of formal order of recognition by the National Council for Teacher Education to an institution was fixed as 3rd March of each year and the last date for submitting proposal for affiliation was fixed as 10th of March each year. The State Government, however, by its order dated 2nd January, 2013 fixed the last date for submission of proposal for affiliation as 28th February, 2013.

4. In the instant case, order of recognition was received by the petitioner-institution on 1st March, 2013 and, accordingly, the petitioner applied for affiliation on 4th March, 2013. The application of the petitioner-institution for affiliation has not been processed by the University and the State Government on the ground that as per the order dated 2nd January, 2013 of the State Government the proposal for affiliation should have been submitted by 28th February, 2013.

5. In our view, the State Government by fixing the last date for submission of proposal for affiliation as 28th February, 2013 instead of 10th March, 2013 as per the schedule fixed by this Court in the aforesaid judgment has created a lot of confusion and for this confusion created by the State Government, the petitioner-institution should not suffer.

6. In these extraordinary circumstances, we direct Chaudhary Charan Singh University as well as the State of Uttar Pradesh to process the application for affiliation of the petitioner-institution for the B.Ed. Course for the Academic Session 2013-14 and to complete the process of affiliation and communicate the decision before 15th May, 2013.

7. We make it clear that in case the University and the State Government find that the institution can be granted affiliation as per its norms, the affiliation will apply for the Academic Session 2013-14.

8. The Writ Petition is disposed of. This order has been passed in the peculiar facts and circumstances of this case and will not be

treated as a precedent by the High Court to deviate from the time schedule fixed in the aforesaid judgment.

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NEW DELHI  
May 09, 2013.