

Court No. - 10

Case :- WRIT - C No. - 9863 of 2022

Petitioner :- Avneet Kumar Tripathi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Bashisth Narain Pandey

Counsel for Respondent :- C.S.C.,Rohit Pandey,Shailendra Singh

Hon'ble Kshitij Shailendra,J.

1. Heard Shri Bashisth Narain Pandey, learned counsel for the petitioner, learned Standing Counsel for State-respondent and Ms. Shambhavi Tiwari, learned counsel holding brief of Shri Rohit Pandey, learned counsel for the respondent-University.

2. The present writ petition has been filed seeking a writ of Mandamus commanding respondent Nos. 2 and 3 to permit the petitioner's admission in Session 2021-22 in M. Tech. ME Ist year.

3. It is contended by learned counsel for the petitioner that despite the fact that petitioner had deposited a sum of Rs. 10,000/- with the Institution, the Institution has not admitted the petitioner.

4. A counter affidavit has been filed on behalf of the University stating that the University had sought a report from respondent Nos. 3 and 4 Institution and the College informed that the petitioner had not done his pre-enrollement on the website of the University, which was necessary requirement to be fulfilled on his part. It has further been stated that last date for grant of admission as fixed by the Hon'ble Supreme Court in **Parshvanath Charitable Trust vs AICTE** (M.A. No. 1658 of 2021 in C.A. No. 9048 of 2012) for academic session 2021-2 was 30.11.2021 and hence admission to the petitioner for the session 2021-22 cannot be granted at this stage, therefore, the relief claimed by the petitioner cannot be granted.

5. In view of time line fixed by the Apex Court in its order passed in **Parshvanath Charitable Trust** (supra) at the end of 2023 no relief can be granted to the petitioner and he cannot be admitted from retrospective effect in a Session, which has already lapsed long ago.

6. Insofar as the grievance with respect of deposit of fees with the

Institution, the petitioner may approach the Institution for the said relief and the University having no role of the refund of fees, no direction can be issued.

7. The writ petition stands **disposed of**.

Order Date :- 7.11.2023

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