

Court No. - 10

Case :- WRIT - C No. - 38719 of 2023

Petitioner :- Aliya Rehman

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

Counsel for Petitioner :- Anurag Tripathi

Counsel for Respondent :- C.S.C.,Dhananjay Awasthi,Rajan Upadhyay

Hon'ble Kshitij Shailendra,J.

1. Heard Sri Anurag Tripathi, learned Standing Counsel for the respondent no.1, Sri Rajan Upadhyay, learned counsel for the respondents no.2 and 3 and Sri Dhananjay Awasthi learned counsel for the respondent no.4.

2. The case of the petitioner is that though she applied for admission in Madan Mohan Malviya University of Technology, Gorakhpur, later on, she was admitted in Aligarh Muslim University in B.Tech course and, as per the guidelines framed by the University Grants Commission, particularly, the Fees Refund Policy 2022-23, she has applied before the Registrar of the University by means of an application dated 02.12.2022 requesting refund of the fees deposited by her, however, neither any order has been passed nor has fees deposited yet been refunded to her.

3. Sri Dhananjay Awasthi, learned counsel for U.G.C. (respondent no.4), states that it is for the Registrar of the University to take a decision in the matter and role of U.G.C. is confined to frame concerned policy/guidelines.

4. Sri Rajan Upadhyay submits that concerned guidelines framed by All India Council for Technical Education govern the aspect of fees and its refund.

5. Considering the facts and circumstances of the case, the writ petition is **disposed of** directing the Registrar, Madan Mohan Malviya University of Technology, Gorakhpur (respondent no.3) to consider the petitioner's application dated 02.12.2022 strictly in accordance with law and the concerned guidelines/policy framed by U.G.C. and A.I.C.T.E. and take a decision thereon **on or before by 31.12.2023**, provided a certified copy of this order alongwith copy of the application moved on earlier occasion is produced by the petitioner before the Registrar, **in the month of November, 2023 itself**.

6. It is made clear that this Court has not examined the merits of the petitioner's claim for refund of fees and it is for the

Registrar of the University (respondent no.3) to decide the same in his own wisdom strictly in accordance with law.

Order Date :- 8.11.2023/AKShukla/-