

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6582 of 2015

Technocrats Mission for Educational Ambition, B/49, Biscoman Colony,
Gulzarbagh, P.O. Gulzarbagh, P.S. Alamganj, District Patna through its President
Ravi Shankar Prasad Singh S/o Sri Ram Sagar Prasad Singh.

.... Petitioner/s

Versus

1. The Union of India through Secretary, Human Resources Development
Department, Government of India, New Delhi.
2. The Chairman, All India Council for Technical Education, New Delhi-3.
3. Northern Regional Officer, All India Council for Technical Education, Kanpur.
4. Standing Appellate Committee, New Delhi through its Chairman.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate
Mr. Mukesh Kumar Singh
For the Respondent/s : Mr. M. M. P. Sinha (for AICTE)
Mr. Tuhin Shankar, CGC

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 06-11-2015

06.11.2015 Heard learned senior counsel for the petitioner
and counsel representing the A.I.C.T.E.

Annexure-1 is the order passed by the
Standing Appellate Committee of A.I.C.T.E., by which
permission for recognition and approval for running of a
Polytechnic by the petitioner has been rejected on
certain technicality, which is evident from perusal of
Annexure-1, dated 13.04.2015.

From perusal of some of the objections,



contained in Annexure-1, it is evident that if only the Committee has given the proper opportunity to the petitioner, certain misgivings would have been cleared and clarified. Since in Bihar, the certification with regard to land records / revenue related matters are issued by the Circle Officer and we do not have a concept of Tehsildar and the District Magistrate or Sub-divisional Magistrate have no role to play in issuance of such certification, the reason in this regard contained in Issue No. 6 for rejection seems to be misplaced. So far as some of the other issues of non-acceptance are concerned, these are some technical minor issues, which the petitioner will surely take care of and revert to the Technical Committee, which will give the petitioner an opportunity of hearing as well to explain any misgivings with regard to understanding of some of the certificates and documents in support.

In view of the fact that all major issues have been sorted out earlier, the impugned order, contained in Annexure-1, dated 13.04.2015 is quashed. Writ application is allowed.

Let the Standing Appellate Committee rehear the matter, give an opportunity and pass a fresh order within a reasonable time, so that the petitioner can beget

recognition and permission before next academic year begins.

Writ application is allowed in terms of above.

(Ajay Kumar Tripathi, J.)

