

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1096 of 2015**

1. Shri Ravatpura Sarkar Polytechnic Through : The Executive Director Of Shri Ravatpura Sarkar Lok Kalyan Trust, Namely Shri Shekhar, Kothari, S/o. Shri Amarchand Kothari, Aged About 36 Years, R/o. Bairon Bazar, Raipur (Chhattisgarh), Registered Trust Of Ravatpura Sarkar Politechnic Is Near Shadani Darbar, Village Dhaneli, Mana Camp, Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Commissioner-Cum-Principal Secretary, Higher & Technical Education, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur (Chhattisgarh)
2. All India Council For Technical Education (A Statutory Body Under Ministry Of H.R.D., Government Of India), Through: Its Chairman, All India Council For Technical Education, 7th Floor, Chandralok Building, Janpad New Delhi- 110001.
3. Director, Technical Education, Directorate Of T.E. Raipur, Indrawati Bhawan, Mantralaya, Raipur (Chhattisgarh)
4. Chhattisgarh Swami Vivekanand Technical University Through : Its Registrar, Chhattisgarh Swami Vivekanand Technical University, North Park Avenue, Sector-8, Bhilai, District Durg (Chhattisgarh)
5. Director , All India Council For Technical Education, 7th Floor, Chandralok Building, Janpad New Delhi- 110001.

---- Respondents

For Petitioner.	-	Shri Manoj Paranjape and Ms. Sangeeta Mishra, Advocates.
For Respondents No.1 & 3.	-	Shri Arun Sao, Dy. Advocate General
For Respondents No.2 & 5.	-	Shri Sachin Singh Rajput, Advocate.
For Respondent No.4.	-	Shri Rajeev Shrivastava, Advocate.

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****12/08/2015**

1. Challenged in the present writ petition is to the order dated 15.04.2015 **(Annexure P/1)** passed by respondent No.2, whereby intake capacity of the petitioner in respect to the diploma courses for the academic year 2015-16 has been reduced in three subjects i.e. Civil

Engineering, Electrical Engineering and Mechanical Engineering.

2. The order impugned has been assailed by the petitioner on various grounds. However, counsel for the petitioner submits that for grant of affiliation for the year 2015-16, the inspection was carried out by respondent No.4-Chhattisgarh Swami Vivekanand Technical University and during inspection a report has been submitted and as per the said report, certain deficiencies earlier pointed out by the University have been cured by the petitioner. Learned counsel for the petitioner submits that after second inspection of the University, further deficiencies have been cured by the petitioner and in respect of the deficiencies pointed out by respondent No.2, efforts are going on to remove those deficiencies. He further submits that at this stage the petitioner may be permitted to withdraw this petition with liberty to file representation before respondent No.2 and the respondent No.2 be directed to decide the representation of the petitioner with a positive attitude.
3. Learned counsel appearing for respondent No.2 submits that he has no objection if the petitioner withdraws the writ petition and makes any such representation before respondent No.2. He further submits that representation of the petitioner would be decided in accordance with law.
4. Considering the interest of parties, the petitioner is permitted to withdraw the writ petition with the aforesaid liberty. In the eventuality of filing a fresh detailed representation by the petitioner within two weeks from today, it is expected from respondent No.2 to decide the said representation within four weeks from the date of receipt of such representation.
5. It is made clear that nothing has been observed by this Court on merit

aspect of the case and it would be for the competent authority to decide the representation of the petitioner in accordance with law without being influenced by any pleading made by the parties in this writ petition.

6. As already stated, the petition is dismissed as withdrawn with liberty sought for by the petitioner.

Sd/-

(Pritinker Diwaker)
JUDGE