

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWELVE

:PRESENT:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WP .NO:34838 of 2012

Between:

Omega College of Pharmacy, Sy. No. 7, Edulabad Village, Ghatkesar
Mandal, Ranga Reddy District, rep its Secretary /Correspondent
N. Mohan Reddy S/o. N. Anji Reddy

..... Petitioner

AND

- 1 The Government of A.P. rep. by its Principal Secretary to
Government.,
Higher Education Department, Secretariat Buildings, Hyderabad
- 2 The A.P. State Council for Higher Education, Masab Tank,
Hyderabad,
rep by its Secretary
- 3 Osmania University, Hyderabad, rep by its Registrar
- 4 The Convenor, PG CET 2012-ADMISSIONS, C/o A.P. State
Council for
Higher Education, Masab Tank, Hyderabad.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction, one more particularly in the nature of writ of Mandamus declaring the action of the respondents in not including the writ petitioner college for counseling and allotment of seats to post-graduate pharmacy courses as approved and permitted by the 1st respondent vide G.O. Rt. No. 850 dated 31.10.2012 for the academic year 2012-2013 as arbitrary and illegal, offending Article 14 of the Constitution of India and issue a consequential direction to the respondents to allot students to the petitioner students in respect of the post-graduate courses in the interests of justice and equity;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of SRI S. SRI RAM Advocate for the Petitioner, and of the Asst. Govt. Pleader for Higher Education for respondent No.1, Sri C.Sudesh Anand, S.C. for respondent No.2, Sri Deepak Bhattacharjee S.C. for respondents 3 and 4, the Court made the following:

ORDER:

“ Learned Assistant Government Pleader for Higher Education takes notice for respondent No.1. Sri C. Sudesh Anand, learned Standing Counsel takes notice for respondent No.2. Learned counsel representing Sri Deepak Bhattacharjee takes

notice for respondent Nos.3 and 4.

All the learned counsel seek time for filing counter affidavit.

The petitioner, which is running a Post Graduate college in Pharmacy obtained recognition for the academic year 2012-13 from the All India Council of Technical Education on 10-5-2012. It is the specifically pleaded case of the petitioner that on the basis of the recommendation made by respondent No.3, respondent No.1 issued G.O.Rt.No.850, dt. 31-10-2012 granting formal approval to the petitioner-college for the year 2012-13. The grievance of the petitioner is that despite the said G.O., respondent No.3 has not issued affiliation and respondent No.2 has not included the petitioner in the list of colleges for counselling.

The learned Standing Counsel for respondent No.2 submitted that so far the list of colleges has not been placed in the web-site and that whoever obtains approval from respondent No.1 and affiliation from respondent No.3, they will be included in the web-site.

The learned Standing Counsel for respondent No.3 is unable to state the reason why it has not acted upon G.O.Rt.No.850, dated 31-10-2012 in the case of the petitioner.

Once the apex body i.e., AICTE, grants recognition, the granting of approval by respondent No.1 is a mere formality and respondent No.3 has no option other than granting affiliation. Accordingly, respondent Nos.1, 3 and 4 are directed to do the needful to enable the petitioner to conduct the above mentioned courses for the academic year 2012-13.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The Principal Secretary to Government., Higher Education
Department, Secretariat Buildings, Hyderabad
 2. The Secretary, A.P. State Council for Higher Education, Masab
Tank, Hyderabad.
 3. The Registrar, Osmania University, Hyderabad.
 4. The Convenor, PG CET 2012-ADMISSIONS, C/o A.P. State
Council for
Higher Education, Masab Tank, Hyderabad. (1 to 4 by RPAD)
- 5.2 CCs to the G.P.for Higher Education, High court of A.P.,**

Hyd.

(O.UT)

6.One C.C.to Sri S. Sri Ram, Advocate (OPUC)

7.one spare copy.

Bsr

HIGH COURT

CVNR.J

DATED 7-11-2012

ORDER

W.P.NO. 34838 OF 2012

DIRECTION

Bsr
Dt. 8-11-2012

HIGH COURT

CVNR.J

DATED 7-11-2012

ORDER

W.P.NO. 34838 OF 2012

DIRECTION