

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 19538 of 2015

Date of Decision: 15.09.2015

Association of Private Self Financing Institution of Haryana and Another

... Petitioner(s)

Versus

All India Council for Technical Education and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice G.S.Sandhawalia.

Present: Mr. Pawan Kumar Mutneja, Advocate
for the petitioner(s).

G.S.Sandhawalia, J.

The challenge in the present petition is to the Schedule for the Second Online Counseling of B.Tech Courses and for Institute Level Admissions of UG/PG (B.Arch., B.Tech (LEET), MBA & MCA Courses for the session 2015-16 (Annexure P3) and the letter dated 6.8.2015 (Annexure P8) issued by respondent No.3. The positive prayer in the nature of mandamus is to extend the admission date for the courses of B.E./B.Tech/B.Arch for the academic session 2015-16 and for directing the respondents for 10% intake which had been kept towards reservation.

It has been vehemently submitted by learned counsel for the petitioners that for the last year, the Hon'ble Apex court had granted extensions, Vide order dated 29.8.2014 (Annexure P5) in I.A. filed in

Civil Appeal No. 9048 of 2012.

It is also not disputed that the members of the petitioner-Association had filed I.A. No. 89 of 2015 before Hon'ble the Apex Court whereby the relief sought was similar regarding extension of the time schedule upto 15.9.2015 for the present academic session for the 39 applicants/institutions. The said applications were dismissed on 7.9.2015. The Hon'ble Apex court, in **Parshavanath Charitable Trust and Others v. All India Council for Technical Education and Others (2013) 3 Supreme Court Cases 385** had laid down the schedule whereby the last date for admission was fixed as 15th August. The relevant schedule reads as under:-

"41. The appropriate Schedule, thus, would be as follows :

Event	Schedule
<i>Conduct of Entrance Examination (AIEEE/State CET/ Mgt. quota exams etc.)</i>	<i>In the month of May</i>
<i>Declaration of Result of Qualifying Examination (12th Exam or similar) and Entrance Examination</i>	<i>On or before 5th June</i>
<i>1 st round of counselling/ admission for allotment of seats</i>	<i>To be completed on or before 30th June</i>
<i>2 nd round counselling for allotment of seats</i>	<i>To be completed on or before 10th July</i>
<i>Last round of counselling for allotment of seats</i>	<i>To be completed on or before 20th July</i>
<i>Last date for admitting candidates in seats other than allotted above</i>	<i>30th July. However, any number of rounds for counselling could be conducted depending on</i>

	<i>local requirements, but all the rounds shall be completed before 30th July</i>
<i>Commencement of academic session</i>	<i>1 st August</i>
<i>Last date upto which students can be admitted against vacancies arising due to any reason (no student should be admitted in any institution after the last date under any quota)</i>	<i>15th August</i>
<i>Last date of granting or refusing approval by AICTE</i>	<i>10th April</i>
<i>Last date of granting or refusing approval by University / State Govt.</i>	<i>15th May</i>

42. *The admission to academic courses should start, as proposed, by 1st August of the relevant year. The seats remaining vacant should again be duly notified and advertised. All seats should be filled positively by 15th August after which there shall be no admission, whatever be the reason or ground."*

As noticed, the petitioners had approached the Hon'ble Apex Court for the same relief and the applications were dismissed. In such circumstances, in view of the schedule fixed it is not permissible for this Court to entertain the present writ petition. Accordingly, the same is dismissed.

(G.S.Sandhawalia)
Judge

September 15, 2015
"DK"