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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10334/2015

VIVEKANANDA INSTITUTE OF PROFESSIONAL
STUDIES

..... Petitioner

Through: Ms. Ekta Sikri and Ms. Adwaita
Sharma, Advocates

versus

GOVERNMENT OF NCT OF DELHI AND ANR. Respondents
Through: Mr. Santosh Kumar Tripathi, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **04.11.2015**

CM No.25761/2015 (Exemption)

1. Allowed subject to just exceptions.

W.P.(C) 10334/2015 and CM No.25762/2015 (interim relief)

2. Issue notice to the respondents.

3. Mr. Tripathi accepts notice on behalf of respondents.

4. In view of the directions that I propose to pass, Mr. Tripathi says that he does not wish to file a counter affidavit.

5. The basic grievance of the petitioner is that despite the fact that the respondents have constituted a Fee Regulatory Committee (in short the Committee), there has been no further movement in the matter. It is contended that committee carried out an inspection of the petitioner's facilities as far back as in July 2013.

5.1 To be noted, the Act under which the said Committee has been constituted is titled as: Delhi Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and other Measures to Ensure Equity and Excellence) Act, 2007 (in short the 2007 Act).

6. Ms Sikri submits that because there has been no decision by the respondents qua the recommendations made by the committee, the petitioner, despite upgradation of facilities, is forced to adhere to date to a fee structure, which obtained in the financial year 2011-2012.

6.1 It is contended that the petitioner is a privately owned institute, which stands provisionally affiliated to Guru Gobind Singh Indraprastha University.

6.2 The learned counsel for the petitioner submits that the petitioner offers 7 undergraduate and 2 post graduate courses, which are being run and managed without grant-in-aid from any external agency.

6.3 It is, in these circumstances, that the petitioner seeks a decision on the recommendations submitted by the Committee.

6.4 Ms.Sikri further states that the Committee submitted its report, in July 2013.

7. Having perused the record, I am of the view that the respondents can be directed to take a decision in the matter. Accordingly, the respondents are directed to take a decision in terms of the 2007 Act as to whether or not they propose to accept the

recommendations. The decision, in this behalf, will be taken (if not already taken), as expeditiously as possible though, not later than two months from today. Needless to say, if the recommendations are accepted, they will be duly notified.

8. With the aforesaid directions in place, the captioned petition and the pending application are disposed of.

9. Dasti.

RAJIV SHAKDHER, J

NOVEMBER 04, 2015

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