

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No. 1411 of 2016

- Shri Rawatpura Sarkar Polytechnic Through The Executive Director Of Shri Ravatpura Sarkar Lok Kalyan Trust, Namely Shri Shekhar Kothari, S/o Late Amarchand Kothari, Aged 37 Years, R/o Walford Enclave, Near Ramkrishnacare Hospital, Pachpedi Naka, Raipur (Chhattisgarh) Registered Trust Of Rawatpura Sarkar Politechnic Is Near Shadani Darbar, Village Dhaneli, Mana Camp, Raipur Chhattisgarh. Civil & Revenue District Raipur (Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through : Secretary, Higher & Technical Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Chhattisgarh Swami Vivekanand Technical University, Through Its Registrar, North Park Avenue, Sector- 8, Bhilai, District Durg (Chhattisgarh)
3. Director, Technical Education, Directorate Of T.E. Raipur, Indrawati Bhawan, Mantralaya, Raipur (Chhattisgarh)

---- **Respondents**

For Petitioner	:	Mr. Manay Nath Thakur, Advocate
For Respondent/State	:	Mr. Gary Mukhopadhyay, Dy. GA
For Respondent No.2	:	Mr. Rajeev Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/06/2016

1. By filing this petition, the petitioner has questioned the action on part of respondent No.2 in reducing the intake capacity from 300 to 150 seats as granted by All Indian Council for Technical Education (for short, 'AICTE'). The ground of attack in the petition is that of usurping the jurisdiction of the AICTE, which is competent authority to decide intake capacity of the institution by the respondents.

2. At the outset, counsel for the petitioner submits that he is not contesting the petition on merit and wants disposal of the petition with a direction that the representations preferred before respondent No.2, the University on 27.05.2016 and 30.05.2016 may be decided at the earliest considering all the submission made in the said representations.
3. Counsel for respondent No.2 has no objection if the petition is disposed with a direction to decide the said representations.
4. Accordingly, the petition stands disposed of with a direction to respondent No.2 to consider and decide the representations dated 27.05.2016 and 30.05.2016 objectively as early as possible so that the interest of the petitioner would not be adversely affected. It is made clear that this Court has made no observation on merits, the respondents shall be free to decide the representations strictly in accordance with law.

Sd/-
(P. Sam Koshy)
Vacation Judge