

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-

WRIT APPEAL Nos.634, 633, 654 and 667 of 2015

DATED: 12.07.2016

WRIT APPEAL No.634 of 2015

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Between:

Jawaharlal Nehru Technological University, Hyderabad

... Appellant

and

St. Mary's College of Engineering & Technology and others

... Respondents

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO**

-
WRIT APPEAL Nos.634, 633, 654 and 667 OF 2015

JUDGMENT: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

Learned counsel for the parties, after making brief submissions, have consented for the order that we propose to pass and fairly stated that we need not record reasons for the same. Hence, we dispose of these appeals by the following order.

“The University and a representative of AICTE, nominated by them within a period of three days from today, shall verify whether the institutions i.e. writ petitioners, have qualified faculty for the courses in question for 2015-16. In addition thereto, in Writ Appeal No.667 of 2015, they may also verify whether the institution has complied lab deficiency. They shall complete this exercise within ten days from today. The AICTE is directed to nominate their representative to verify compliance in terms of this order.

It is open to the institutions to once again place, if

they have not done so, all relevant materials in respect of faculty/lab before the University within a period of three days from today. It is open to the University along with the representative of AICTE to examine the deficiencies within ten days from today, as

afore-mentioned, and communicate their decision to the institutions within three days therefrom through E-Mail and one other mode. If the decision of University is adverse to the institution/s, the institution/s has/have agreed to close the said course and would not have any objection for transfer of the students, who were admitted for the academic year 2015-16, to other colleges. The University/state authorities in that event shall take all steps to transfer those students to other colleges within a period of four weeks from the date of communication of their order.

This order shall not take away the right of the institutions to challenge the decision of University rejecting affiliation for 2015-16 in respect of the courses in question. They, however, shall not have any objection, in the interest of the students, for their transfer to other colleges, as afore-mentioned, subject to outcome of their challenge. The statements of learned counsel appearing for the institutions, stating so, are accepted.

It is needless to mention that this order confines to the courses mentioned in the statement submitted by the University dated 15.06.2016. The statement, duly signed by the advocate on record for the University, is taken on

record and marked 'X' for identification.

The University has agreed to give personal hearing to the institutions whenever they consider their case, in pursuance of this order. The University shall communicate the date of hearing at least 24 hours in advance to the institutions through E-mail.

Insofar as other courses are concerned i.e. the courses, which are not subject matter of these appeals, the University is directed to communicate its order/decision, regarding affiliation for 2015-16, if it is still pending, to the institutions for 2015-16 within a period of ten days from today.

It is needless to mention that if any expenditure is required to be incurred by AICTE and/or University for undertaking the exercise, as afore-mentioned, the institutions undertake to reimburse the monies spent by the University and the representative of AICTE, within a period of seven days from the date of communication. The undertakings given through their advocates on record are accepted”

Consequently, miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

12th JULY, 2016.

P. NAVEEN RAO, J

Note: issue c.c. today.

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