

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

**WRIT APPEAL No. 201 OF 2016**

**04-04-2016**

Between:

M/s. Maestro School of Planning and Architecture, 1-16/1,  
Sy.No.210/4, Gudavalli, Vijayawada Rural, Krishna District, AP. Rep.,  
by its Secretary/Correspondent J.V. Chowdhary

... Appellant

And

The State of Andhra Pradesh, rep., by its Principal Secretary, Higher  
Education, J-Block, Secretariat Buildings, Hyderabad and another

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE**  
**AND**  
**HON'BLE SRI JUSTICE P. NAVEEN RAO**  
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**WRIT APPEAL No. 201 OF 2016**

**PC:** (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

This writ appeal is arising from the order dated 24-02-2016 passed in Writ Petition No. 3896 of 2016, whereby the writ petition filed by the appellant has been dismissed. In the writ petition, the appellant sought the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to pass an order or orders or direction more particularly one in the nature of a writ of mandamus declaring the action of the 2<sup>nd</sup> Respondent in not receiving the proposal of the relevant data for fee fixation to the B.Arch Course in the petitioner college for the block period 2016-17 to 2018-19 as arbitrary and illegal and violation of petitioners right guaranteed under Article 14 of the Constitution of India and consequently direct the 2<sup>nd</sup> respondent to immediately receive the relevant data and fee proposals by extending the time as notified in Notification dated 06.01.2016 and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

On last occasion, we had directed the appellant to file affidavit placing certain statements on record. Accordingly, the appellant has filed affidavit, the relevant portion of which reads thus:

“1. I state that I am the Secretary/Correspondent, of the Appellant/Petitioner College herein and as such I am well acquainted with the facts of the case.

2. I state that the appellant college commenced five

year Bachelor of Architecture course from the academic year 2015-2016 with an intake of 80 students. It was permitted to collect a fixed fee of Rs.35,000/- per student and college has admitted 25 students during the said academic year.

3.I state that as appellant college could not notice the issuance of notification issued by 2<sup>nd</sup> respondent calling for submission of fee proposals for the block period 2016-2017 to 2018-2019, the same were not furnished on time. Therefore now the appellant college is agreeable to the lowest fee determined by the 2<sup>nd</sup> respondent for similarly situated colleges as adhoc fee for the appellant college for the academic year 2016-2017.

4. Further the appellant college is agreeable to pay necessary processing fee and any other charges those may be collected by the 2<sup>nd</sup> respondent for late submission of the fee proposals for the block period 2016-2017 to 2018-2019.”

Today, Sri C. Sudesh Anand, learned counsel for the 2<sup>nd</sup> respondent, on instructions, submits that if the appellant makes a proposal for fixation of the fee within a period of ten days from today, the 2<sup>nd</sup> respondent shall process the same and if the appellant cooperates, they shall take the decision in respect of the appellant – institution within a period of six weeks from today.

Sri Challa Gunaranjan, learned counsel for the appellant submits that the appellant – institution shall furnish the proposal within a period of ten days from today and shall cooperate for considering and disposing of their proposal within time frame.

In view thereof, we dispose of this writ petition by the following order:

“The appellant shall furnish their proposal within a period of ten days from today to the 2<sup>nd</sup> respondent for fixation of fee for the block period 2016-17 to 2018-19. If the appellant furnishes the proposal, as aforementioned, to the 2<sup>nd</sup> respondent, they shall consider the same on merits, in accordance with law, within a period of six weeks from the date of its presentation. It is needless to mention that the appellant shall cooperate for considering and deciding their proposal within the

stipulated time. Further, it is needless to mention that the appellant shall pay necessary process fee and any other charges those may be demanded by the 2<sup>nd</sup> respondent for late submission of the fee proposal for the block period 2016-17 to 2018-19, within three days from the date of such demand.

In view of this order, the order dated 24-02-2016 passed in Writ Petition No. 3896 of 2016 renders ineffective.”

Miscellaneous petitions, if any, also stand disposed of.

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**DILIP B. BHOSALE, ACJ**

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**P. NAVEEN RAO, J**

04-04-2016

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