

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 31656 of 2016

DATE: 19.09.2016

Between:

LM Institute of Para Medical Sciences .. Petitioner

and

The State of Andhra Pradesh
and another .. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“..to issue a writ of mandamus declaring action of the 2nd respondent in not including the petitioner –institution (which is already recognized by the A.P. Paramedical Board) for the purpose of admission of students into paramedical courses for the year 2016-2017 as per the Notification No.002/ APPMB/ Admissions/ AY 2016-2017, dated 18.05.2016, as arbitrary and illegal and consequently direct the respondents to permit the petitioner to admit students into the recognized paramedical courses (recognition granted by Andhra Pradesh Paramedical Board) for the academic year 2016-2017 and subsequent academic years.”

The learned counsel for the petitioner has submitted that even though the petitioner –LM Institute of Para Medical Sciences was recognized by the A.P. Paramedical Board, the 2nd respondent –Andhra Pradesh Paramedical Board, by virtue of its Notification dated 18.05.2016, restricted right of admission of students belonging to the petitioner – Institution to Paramedical Courses for the academic year 2016-2017.

A perusal of the Notification reveals that the date of issue of Notification was 20.05.2016, last date of submission of selection lists to the Secretary, APPMB for approval of admissions was 08.07.2016 and the date of commencement of Classes was 15.07.2016. However, the present writ petition is filed on 09.09.2016 at a belated stage and even the classes have already been commenced, therefore, this Court is of the

opinion that the present petition is hit by delay and latches. Accordingly, the writ petition is hereby dismissed.

At this juncture, the learned counsel for the petitioner has submitted that if the grievance of the petitioner is resolved, then the matter ends, otherwise, liberty may be granted to the petitioner to make a representation challenging the Notification dated 18.05.2016 issued by the 2nd respondent for getting recognition for the academic year 2017-2018.

Since, this Court has not given any opinion on merit, the liberty as sought for is granted. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

19.09.2016

bcj

SURESH KUMAR KAIT, J

