

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA  
RAO**

**WRIT PETITION No.25184 of 2016**

**ORDER:**

Heard Sri P.Pandu Ranga Reddy, learned counsel for petitioners and Sri C.Suresh Anand, learned counsel for  
2<sup>nd</sup> respondent.

2. Petitioners assail proceedings dt.25-07-2016 of the  
2<sup>nd</sup> respondent in Lr.No.2/AFRC/FFC/2016-17/95 rejecting petitioners' request for enhancement of the minimum tuition fee for the M.B.A. course for the block period from 2016-17 to 2018-19.

3. The 2<sup>nd</sup> petitioner is an institution imparting training in M.B.A Course. The 2<sup>nd</sup> respondent is the competent authority constituted for fixation of fee for various courses and the 1<sup>st</sup> respondent notifies the fee on the recommendations of the 2<sup>nd</sup> respondent.

4. The 2<sup>nd</sup> respondent issued notification inviting proposals from private unaided professional colleges to submit relevant data for fixation of fee for the block period 2016-17 to 2018-19 by fixing the last date as 14-11-2014. The said notification stipulated that list of proposals should

be made online by paying the requisite fee. The last date of submission of online data as well as hard copies of the data was extended from time to time. Later finally the notification

dt.06-01-2016 was issued extending the last date till 11-01-2016.

5. Petitioners contend that they registered themselves on website of the 2<sup>nd</sup> respondent on 11-11-2015, they paid on 18-12-2015 requisite fee by RTGS, that they uploaded proposals seeking fixation of fee of Rs.27,000/- and requested the 2<sup>nd</sup> respondent to recommend the same to 1<sup>st</sup> respondent. Petitioners claimed that they were informed by the office of the 2<sup>nd</sup> respondent that after uploading of the data, they should have pressed the freeze button and because of their failure to do so, they were not called for personal hearing. Petitioners, therefore, submitted representation on 18-06-2016 to the

2<sup>nd</sup> respondent to consider their case, but 2<sup>nd</sup> respondent rejected the same by the impugned order dt.25-07-2016 stating that their representation dt.18-06-2016 was belated.

6. Learned counsel for petitioners relied upon the order

dt.19-07-2016 in W.P.No.21614 of 2016, wherein this

Court, in a similar case, directed the 2<sup>nd</sup> respondent to consider the application for fixation of fee after collecting late fee, processing fee and any other charges, which may be demanded by 2<sup>nd</sup> respondent for late submission of its fee proposal for the above block period.

7. Since the failure of petitioners to freeze the data was the cause for petitioners' not being called for personal hearing and since the petitioners did not know about it initially, and were waiting to be called for personal hearing, it cannot be said that the petitioners had made representation dt.18-06-2016 with undue delay.

8. Therefore, the impugned order dt.25-07-2016 is set aside and the 2<sup>nd</sup> respondent is directed to consider the proposals of petitioners for fixing of fee for the above block period by collecting late fee and any other charges, which may be demanded by 2<sup>nd</sup> respondent for late submission of their fee proposals for the above block period. The

2<sup>nd</sup> respondent shall consider the same on merits in accordance with law within six (06) weeks from the date of receipt of a copy of this order.

9. The Writ Petition is allowed as above. No costs.

10. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

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**JUSTICE M.S.RAMACHANDRA RAO**

Date: 01-08-2016

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