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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2752/2016 & C.M.No.11593-11594/2016

HIMALAYAN UNIVERSITY

..... Petitioner

Through Mr.Amitesh Kumar with Ms.Priti
Kumari, Advocates.

versus

UNIVERSITY GRANTS COMMISSION AND ANR

..... Respondents

Through Mr.Apoorv Kurup with Mr.Avanish
Rathi, Advocates for R- 1 & 2/UGC.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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29.03.2016

Present writ petition has been filed challenging the UGC letter dated 2nd February, 2016, whereby the petitioner's proposal for conducting distance education programme was returned as UGC had decided to put new proposals from different universities/institutions on hold and to consider them only in accordance with new ODL Regulations to be notified in future by UGC. The petitioner also prays for a direction to the respondents to consider the petitioner's proposal dated 1st December, 2015 for grant of approval to conduct various courses through open and distance learning programme.

Learned counsel for petitioner states that as UGC vide notification dated 17th June, 2013 has adopted the DEC guidelines, the UGC should have considered the petitioner/university's proposal in accordance with the said guidelines.

On the other hand learned counsel for the respondents-UGC, who appears on advance notice, states that the new ODL Regulations

are in the process of being prepared and shall be notified by UGC shortly.

However, this Court is of the opinion that there can be no hiatus or vacuum on the ground that new ODL Regulations are yet to be notified. It is pertinent to mention that it has been three years since UGC was appointed as the Regulator for distance education.

Consequently, the present writ petition is disposed of with a direction to the petitioner to re-submit its application for distance education programme within a period of one week. If the said application is re-filed within the stipulated period, the UGC is directed to dispose of the same within a period of three months in accordance with the extant guidelines prevailing at the time of consideration of the application.

With the aforesaid directions, the present writ petition and the applications are disposed of.

Order *dasti*.

MANMOHAN, J

MARCH 29, 2016

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