

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 586 of 2017

1. Shri Rawatpura Sarkar Polytechnic, Through the Executive Director of Shri Ravatpura Sarkar Lok Kalyan Trust, namely Shri Shanti Swaroop Verma, S/o. Late Prithvi Singh Verma, Aged 62 Years, Regd Office Of Trust : Near Shadani Darbar, Village Dhaneli, Mana Camp, Civil & Revenue District Raipur (Chhattisgarh).
2. Shanti Swaroop Verma, S/o. Late Prithvi Singh Verma, Aged About 62 Years, R/o. Manglam Mall, Near Agrasen Chowk, Behind Ganesh Mandir, Raipur (Chhattisgarh).

---- Petitioners

Versus

1. State Of Chhattisgarh, Through : Commissioner -cum- Principal Secretary, Higher & Technical Education, Mahanadi Bhawan Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. Chhattisgarh Swami Vivekanand Technical University, Through Its Registrar, North Park Avenue, Sector-8, Bhilai, District Durg (Chhattisgarh).
3. All India Council For Technical Education (A Statutory Body Under Ministry Of HRD, Government Of India), Through : Its Chairman, All India Council For Technical Education, 7th Floor, Chandralok Building, Janpad New Delhi 110001.
4. Director, Technical Education, Directorate Of T.E. Raipur, Indrawati Bhawan, Mantralaya, Raipur (Chhattisgarh).

---- Respondents

For Petitioners	:	Mr. B.P.Sharma with Mr. Ali Asgar, Advocates
For Respondent No.1&4	:	Mr. Anupam Dubey, Dy. Govt. Advocate
For Respondent No.2	:	Mr. Rajeev Shrivastava, Advocate
For Respondent No.3	:	Mr. Sandeep Dubey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.03.2017

Heard

1. At the very outset, learned counsel for the petitioners submits that though the prayer is made to permit the petitioners to admit 300 numbers of students in the different courses for the Academic Year 2016-17 but the period had already lapsed. As such after due compliance of all requirements another letter dated 23.12.2016

(Annexure P-12) was sent, which captioned as Subject : Request for intake consideration for the Academic Year 2017-18. It is submitted that since the issue relates to academic interest of students, such request may be considered and decided. He further submits that the petitioners have already moved an application for consideration for Academic Year 2017-18 and Annexure P-12 is in reference to that.

2. Learned counsel for the respondents submits that without prejudice to their right under the statute as has been decided by their Lordship in case of ***Parshvanath Charitable Trust & Others v. All India Council For Technical Education & Others***¹, the same can be decided.
3. Considering the limited prayer, without any observation on merits, it is directed that the respondent No.2 may decide the application dated 23.12.2016 (Annexure P-12) within a further period of one month from the date of receipt of a copy of this order without prejudice to the right of either of the parties keeping into consideration of the dictum laid down supra.
4. With such observation, the petition stands disposed off.

ashok

Sd/-
(Goutam Bhaduri)
Judge

1 (2013) 3 SCC 385