

Shri. V. D. Salunke, Advocate for the petitioners
Shri. A. V. Deshmukh, AGP for respondents No. 1 & 2
Mr Alok Sharma, Advocate for respondent No. 3
Shri. S.V. Adwant, Advocate for respondent No. 4

**CORAM : R. M. BORDE &
A. M. DHAVALE, JJ.**

DATE : 28TH JULY, 2017.

ORDER:-

1. Heard.
2. We have perused order dt. 5th August, 2016 passed by this Court in Writ Petition No. 8416 of 2016 in the matter of petitioner-institution vs State & Ors. as well as order dt. 23rd June, 2017 passed in Writ Petition No. 6540 of 2015 in the matter of Shiva Trust's Vs State & Ors.
3. For the reasons recorded in the orders passed in the aforesaid matters & in view of the interim order passed by the Hon'ble Apex Court in the matter of **Orissa Technical Colleges Association Vs. AICTE and another in Special Leave to Appeal (Civil) No. 7277 of 2014**, and since the AICTE has approved the intake capacity of the college for the diploma course as 180 students, the restriction imposed by the State Government i.e. the Director is not valid. In this view of the matter, the civil applications are allowed in terms of prayer clause 'B'.

4. It also needs to be clarified that, the order passed in the instant civil applications shall be subject to outcome of the decision of the Hon'ble Supreme Court in the matter of **Orissa Technical Colleges Association Vs. AICTE and another in Special Leave to Appeal (Civil) No. 7277 of 2014.**

[A. M. DHAVALE]
JUDGE

[R. M. BORDE]
JUDGE