

HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION Nos. 1605, 1614,1651
AND 1663 OF 2017

COMMON ORDER:

Heard learned Counsel appearing for the petitioners and
learned Advocate General appearing for the respondents.

An affidavit is filed on behalf of the petitioners-Institutions
stating as follows:

“2. I submit that the petitioner College pursuant to the Interim Orders granted in W.A.No.667 of 2015, dated 15.07.2015 and 23.09.2015 have admitted students into various courses for the academic year 2015-16 and the students have been perusing their studies regularly. That the students who were admitted in the year 2015-16, have completed their First Year and are now in the First Semester of Second Year, the entire course is of two years duration. That to save the students from hardship and irreparable loss, if they are transferred to other colleges the present affidavit is filed.

3. That in case the University transfers the students, the students will be put to hardship as their academic schedule will be disturbed and some of the courses offered in the present institution are not available elsewhere and as such they will not only lose their precious time but also their academic course. In view of the precarious circumstances the Honourable Court may be pleased to allow the students to continue and complete their students, the petitioner institute will undertake to continue to

provide all the infrastructural facilities like faculty and lab facilities as required.

4. It is further submitted that due to the alleged lapses of the petitioner college the students should not be put to hardship, misery and suffering and the Institute is ready to give an undertaking that all the facilities for completion of the course will be provided by the petitioner college.

5. It is respectfully submitted that under similar circumstances the Hon'ble Supreme Court of India has imposed costs and permitted the students to continue and as such this Hon'ble Court may also direct the University to allow the students to complete the studies by allowing them to pay the examination fee, write exams and their results declared. That the Management also undertakes to settle all pending cases with the University by withdrawing the cases filed against it.

6. Moreover the Institution have been granted affiliation for the academic year 2016-17 and as such to save the students from hardship, suffering and save a precious academic year, the Management is ready to pay a sum of Rs.20,58,000/- @ Rs.6000/- per student for 343 students for MBA Course, Rs.17,08,000/- @ Rs.7000/- per student for 244 students for M.Tech course and Rs.2,17,000/- @ Rs.7000/- per student for 31 students for M.Pharmacy courses totaling Rs.39,83,000/-, that the petitioner institution will pay the entire agreed costs within one month from the date of passing of the order. And as such the Respondent/University may be directed to allow the college to pay the costs as indicated above based on which the University will grant affiliation and the students allowed to continue and complete the studies by allowing them to pay the examination fee, write exams and their results declared. Hence this affidavit."

It is submitted by the learned Advocate General appearing on behalf of the respondents that it is the obligation of the petitioners-Institutions to provide necessary infrastructural facilities to all the students for the purpose of having quality education and the undertaking given in the aforesaid affidavit should not be taken as precedent in future.

The aforesaid affidavit filed by the petitioners is placed on record and the petitioners-Institutions should act strictly in accordance with the undertaking given in the above mentioned affidavit.

In view of the above, the Writ Petitions stand disposed of and the petitioners-Institutions and respondent-University shall act accordingly. It is further made clear that this order shall not be treated as precedent in future.

Miscellaneous petitions pending consideration if any in the Writ Petitions shall stand closed in consequence. No order as to costs.

JUSTICE A.V.SESHA SAI

DATED 24th January, 2017.
Msnr_x