

The Hon'ble Sri Justice A.Ramalingeswara Rao

Writ Petition No.45178 of 2016

Date: 27.03.2017

Order:

This Writ Petition is filed by an Educational Society through its Correspondent seeking refund of an unclaimed amount of Rs.11,50,000/- collected towards processing fee for conversion of the existing institutions run by it into integrated campus for the academic year 2009-10 as well as towards extension of approval/increase in intake/introduction of new courses in the existing institutions for the academic year 2010-11.

It is the case of the petitioners that they have been running several educational institutions from the academic year 2008-09 and that in pursuance of the guidelines issued by the respondent on the Scheme for development of integrated campus with multi-discipline imparting technical education from the academic year 2009-10, they had applied for the academic year 2009-10 by paying the prescribed fee on 17-12-2008, but the same was returned by the respondent with an advice to them to apply afresh for the academic year

2010-11 through online. However, the fee already paid by the petitioners was not refunded. The petitioners submitted a fresh application for the academic year 2010-11 by paying the required fee, but the same was not processed. During January, 2010, the respondent introduced e-governance and intimated all the Educational Institutions in India through its extension notification, dated 07-02-2010, to apply afresh on AICTE web portal through e-governance for extension of approvals as well as conversion of the existing Educational Institutions into integrated campuses. The petitioners applied again by online and the respondent approved the applications made for three integrated campuses. The petitioners state that the fee amounting to Rs.11,50,000/- paid by them in respect of the applications, which were not processed, has not been refunded by the respondent and hence, they have filed this Writ Petition seeking refund of the same.

Since there is no dispute with regard to the facts mentioned by the petitioner, the learned Counsel for the respondent sought for time to get instructions with regard to the refund of the amount. This Court adjourned the matter

from time to time on six occasions and finally on 27-02-2017 for a period of four weeks.

Today, the learned Counsel appearing for the respondent submits that the respondent is willing to refund the said amount but he seeks some time therefor.

In view of the statement made by the learned Counsel for the respondent, the respondent is directed to refund the amount claimed by the petitioner within four weeks from today. However, the issue with regard to payment of interest thereon is left open.

The Writ Petition is, accordingly, allowed.

As a sequel, WPMP.No.55703 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(A.Ramalingeswara Rao, J)

Dt: 27th March, 2017

Note:
Furnish CC in one week.
(B/o)
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