

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 23706 of 2017

ORDER :

Heard both sides.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring:

“i. the action of respondent No.1 in reducing the intake of petitioner No.1 Institution including by issuing the extension of approval dated 10.04.2017, as illegal, arbitrary, unconstitutional in violation of principles of natural justice and set aside the same to the extent of reduction of intake in petitioner No.2-Institution for the academic year 2017-18;

ii. the action of respondent No.1 in passing the order dated 11.04.2017, as illegal and arbitrary and set aside the same;

iii. Further direction respondent No.1 to grant approval for the full sanctioned intake for all the courses of petitioner No.2-Institution for the academic year 2017-18 and;

iv. pass such order or other orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

3. The averments in the writ affidavit would disclose that the respondents directed reduction of intake by 25% for the academic year 2017-18 in the petitioners-college, in view of specific allegations against them with regard to illegality and excess admissions undertaken by them. Aggrieved thereby, the petitioners preferred an appeal dated 16.03.2017 before the Standing Appellate Committee. While the said appeal is pending, the AICTE passed an order wherein the approval of the Institution was placed under 'No Admission' on account of various civil disputes and complaints

given by third parties that the land on which the Institution has been established does not belong to the petitioners. It is stated that the said order was stayed by the High Court. Aggrieved thereby, the third parties filed an appeal before the Division Bench by way of Writ Appeal, which was dismissed. The grievance of the petitioners is that inspite of the appeal being submitted by them and subsequent orders of AICTE being suspended, the AICTE has not passed orders on the appeal and has not granted full intake into the petitioners-institution.

4. It is represented by Sri K.Ramakanth Reddy, learned Standing Counsel appearing on behalf of respondent No.1, that the appeal filed by the petitioners-Institution was allowed on 22.04.2017 and the recommendations made by the Standing Appellate Committee reads as under:

“Deficiencies complied.

The Osmania University vide letter dated 20.04.2017 has admitted that it has made admissions to students of PIO to the affiliated colleges viz., Muffakham Jah College of Engineering and Technology between 2003-2004 to 2013-2014. It has also made provisions for the hostel. The Osmania University has collected the prescribed fees and remitted to the affiliating colleges. In light of the letter from Osmania University, it is observed that the said college has not violated the admission procedure or filling up seats on its own. The Committee recommends to withdraw the earlier order i.e., reduction of seats by 25% or and any other penalty. The Committee recommends to permit the Osmania University to fill up seats pertaining to PIOs in the affiliated colleges. The said college viz. Muffakham Jah College of Engineering and Technology may be allowed to admit students of PIO for the academic year 2017-2018”.

5. The same is not disputed by the learned counsel for the petitioners.

6. In view of the above, no further orders are necessary in the writ petition and the same is accordingly closed. No costs.

Consequently, miscellaneous petitions, if any pending, shall also stand closed.

JUSTICE C. PRAVEEN KUMAR

20.07.2017
vnb

