

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION Nos.19946 and 19969 of 2017

COMMON ORDER:

Heard the respective learned counsel for the respective petitioners in W.P.No.19946 of 2017 and W.P.No.19969 and also the learned standing counsel for the respective 2nd respondent in W.P.No.19946=1st respondent of W.P.No.19969 of 2017, learned Govt. Pleader for Education and perused the respective prayers in the Writ Petitions which are identical, the supporting affidavits and other material on record including particularly the procedure to be followed for the change of University affiliation prescribed by the JNTU. The prayers in the Writ Petitions are the impugned proceedings, dated 15.06.2017 respectively Affiliation 1C/ 2017 in W.P.No.19946 and Affiliation No.(Y2)/ 2017 in W.P.19969 of refusing to permit or grant of No Objection Certificate as untenable and consequently to direct to issue no objection.

The petitioner's earlier Affiliation was to JNTU. They want to opt affiliation with Palamuru University. They asked for No Objection Certificate to be issued by JNTU but the same was not considered which is impugned herein.

The procedure to be followed for the change of Universities Affiliation prescribed by JNTU speaks in Clause (a) to (h) of which clause © clearly speaks, as the management has to submit an affidavit for progressive closure of the courses affiliated to JNTUH

and to pay the affiliation and common service fee in vogue for the existing students if any for the remaining period of their study as one time payment prescribed by the JNTUH(Format CUA2).

The written instructions received by the learned Standing Counsel for the JNTU also by reiterating the same says for issuance of the NOC for change of Affiliation of University from JNTU to other university besides the above for the technical institutions, the rejection was on the above ground, however, the college may apply for progressive closure for which the university can issue NOC as per the existing procedure and it also clarify of what is meant by progressive closure as existing students shall continue their studies as per JNTU till completion of the remaining period. It is made very clear that for admitting fresh students without giving closure certificate giving of no objection does not arise and those who are already prosecuting the studies as having been completed academics progressive closure permits them under JNTU. Thus, there is no bar for the college covered by the Writ Petitions to so apply by closure of the present academic year by giving certificate they can apply for the Palamuru University by joining the academic year after obtaining the no objection from JNTU.

Having regard to the above, these Writ Petitions are disposed of by reiterating the said clause © of said procedure prescribed by JNTU. The petitioners are directed, according to the above, to apply afresh for No Objection Certificate within two days from the date of receipt of this order and JNTU shall consider and pass

orders within one week therefrom subject to certificate closure progressive.

As a sequel, miscellaneous petitions if any pending in these Writ Petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.23.06.2017,
Note: Copy by Tuesday(27.06.2017)
b/o. vvr

