

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 28824 of 2017

ORDER:

Heard learned counsel for the petitioners and the respective learned Standing Counsel for respondent Nos.2 to 4.

Petitioner No.1-Society was formed in 1992 and it has established petitioner No.2-College in 2007. Respondent No.5-All India Council for Technical Education, New Delhi granted approval to petitioner No.1 for establishing a Pharmacy Institution with intake of 60 seats vide letter, dated 09.08.2007, based on the Letter of Intent issued by the Regional Officer, Southern Regional Office of respondent No.5, dated 15.05.2007. Petitioner No.2-College was affiliated to Kakatiya University up to 2010 and in the meantime, respondent No.2-Satavahana University was established i.e. in 2008 and the affiliation was shifted to respondent No.2-University from 2010 onwards. Petitioner No.2 started M.Pharmacy Course during the year 2014-15 for two branches i.e. 15 seats in Pharmaceutics and 15 seats in Pharmaceutical Analysis. The petitioners submitted representations to respondent No.2 seeking affiliation for the academic year 2017-18 for M.Pharmacy Course, but respondent No.2 failed to inspect the College and when the counselling was going on from 06.08.2017 to 10.08.2017, when petitioner No.2-College was not included in the counselling, it approached

respondent No.2 for grant of affiliation. In spite of the same, petitioner No.2 was not included in the second phase of counselling also during the period from 21.08.2017 to 24.08.2017. In those circumstances, the present writ petition is filed challenging the action of respondent No.2 in not granting affiliation to petitioner No.2 for the academic year 2017-18.

When the writ petition was taken up for consideration, learned Standing Counsel for respondent No.2, on the basis of instructions, submits that petitioner No.2-College was inspected on 01.08.2017 and the petitioners knew the same. On 03.08.2017, deficiencies were pointed out to petitioner No.2 and it was given 20 days' time for rectifying the same. In spite of the same, petitioner No.2 has not taken steps.

Learned counsel for the petitioners submits that the petitioners have not received the communication alleged to have been sent on 03.08.2017 and in fact, they addressed a letter to respondent No.2 on 30.08.2017. If that is so, it is for the petitioners to take appropriate steps for rectifying the deficiencies pointed out.

In the circumstances, the petitioners are given 15 days' time from the date of receipt of a copy of this order for rectifying the deficiencies pointed out by respondent No.2. On submission of appropriate report by petitioner No.2, respondent No.2 shall

consider the same and pass appropriate orders in accordance with law.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall also stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:31.08.2017

kdl

