

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.36140 OF 2017

ORDER :

This petition is filed for a writ of *Mandamus* declaring the action of the respondent Nos.2 and 4 in not considering the application dated 23.09.2017 made by the 2nd petitioner for approval of affiliation/recognition of centres of legal education for 5 year B.A.L.L.B course for the academic year 2017-2018, as illegal and arbitrary and for a consequential direction to respondent Nos.2 and 4 to dispose of the said application expeditiously.

Smt.S.Nanda, learned Standing Counsel for Bar Council of India produced written instructions stating that the 2nd petitioner made application on 23.09.2017 for fresh approval of the affiliation in respect of 5 years B.A.L.L.B course for the academic year 2017-2018, but, the last date for filing such application for fresh approval for the academic year 2017-18 was 31.12.2016 as per Rule 15 of the Bar Council of India Rules, as such, the application of the petitioner will be considered for the next academic year i.e. 2018-19.

Heard Sri Raghunandan, learned senior counsel for the petitioners who submits that petitioner got affiliation from the University in the month of September, 2017, and immediately, they applied to the Bar Council of India for approval and that the petitioner cannot be faulted.

Rule 15 of the Rules of Legal Education, 2008 reads as follows;

15. Annual Notification for application to be filed by newly proposed institutions:

(a) At the direction of the Legal Education Committee, the Secretary shall notify each year prescribing the last date for submission of new application for proposing new law courses in a University or a new affiliated Centre of Legal Education under an existing recognized University but not later than December 31st of the previous academic year to which the new proposal is applied for. No application received after that date can be considered for the academic year under notification but can be considered for the subsequent year.

In view of the above, no direction can be issued as prayed for in the writ petition. However, since in the written instructions, it is stated that the application of the petitioner will be considered for the next academic year 2018-19, the 4th respondent is directed to consider the application of the petitioner dated 23.09.2017, in accordance with law and take action within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

02.11.2017
tk.