

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1745 of 2018

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1. Exalt Educational Trust, Registered office 311/A, Ashiyana Tower, Exhibition Road, Patna through its Chairman, Deepak Kumar.
 2. Deepak Kumar, Son of Shri Guneshwar Prasad, Resident of 311/A, Ashiyana Tower, Exhibition Road, Patna, P.S.- Gandhi Maidan, District- Patna, Chairman, Exalt Educational Trust as well as Exalt College of Polytechnic.
 3. Exalt College of Engineering & Technology Kanhauli, P.S.- Mahuwa, District- Vaishali (Hajipur) through its Chairman, Deepak Kumar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
3. The Vice-Chancellor, Aryabhat Knowledge University, Bihar, Patna.
4. The Registrar, Aryabhat Knowledge University, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Tej Bahadur Singh
		Mr. Awadhesh Kumar Pandit
For the University		Mr. Anand Kumar Ojha
		Mr. Ravindra Kumar Singh
For the State		Mr. K.P.Gupta, GP-10
		Mr. A.K.Gupta, AC to GP 10

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 23-04-2018 This application has been filed seeking quashing of an order dated 08.12.2016 and subsequent letter dated 27.05.2017, issued by the Registrar, Aryabhat Knowledge University, Patna, whereby extension of affiliation of the College, in question, for the session 2016-17 has been rejected.

All India Council for Technical Education (AICTE)
New Delhi, had granted approval/recognition to the College in



question for the said session.

In my view, this writ application has become infructuous since the said session 2016-17 commenced from July, 2016 itself whereas this writ application has been filed on 27.01.2018.

Mr. Tej Bahadur Singh, learned Senior Counsel, appearing on behalf of the petitioner, has drawn my attention to the Supreme Court's decision in the case of **Parshvanth Charitable Trust and Anr. vs. All India Council for Technical Education**, reported in **(2013) 3 SCC 385** to contend that it was because of the delay caused by the University that the extension of affiliation could not be granted. The said decision of the Supreme Court lays down the schedule right from the stage of conduct of entrance examination for admission to Engineering Courses till the date of admission of candidates. It also lays down the schedule for commencement of academic session which is the 1st of August of the concerned year. 15th of August is the last date upto which the students can be admitted against the vacancies arising due to any reason. It also lays down that 15th May would be the last date for granting or refusing approval by the University.

In view of law clearly laid down by the Supreme



Court in the case of **Parshvanath Charitable Trust** (supra),
the relief as sought in the present writ application cannot be
granted.

This writ application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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