

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 6251 OF 2018
IN WP/3786/2018**

**POTDAR FOUNDATIONS SUMANTAI INSTITUTE
OF PHARMACY DIPLOMA AT BHAMRUD KD ... APPLICANT**

VERSUS

**ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION AND ANOTHER ... RESPONDENTS**

Mr.V.D. Hon, Sr. Advocate I/b Mr. A.V. Hon for the
applicant

Mr.S.V. Advant, Advocate for the respondent No.2

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 28.06.2018

P.C. :-

Heard. Mr. V.D. Hon, Sr. counsel I/b Mr. A.V.
Hon appearing for the applicant and Mr.S.V. Advant,
learned counsel appearing for respondent No.2.

2. The application is seeking direction to the
respondent to provide Expert Visiting Committee for the
purpose of conducting inspection of the applicant-
Sumantai Institute of Pharmacy (Diploma), as per the
order of this Court dated 26.04.2018 in Writ Petition
No.3786 of 2018. At the outset Mr. Hon, learned Sr.
Counsel orally prays for amendment in the application

thereby deleting paragraph No.8. He submitted that the intention was not to make any critical comment on the conduct of the authorities but inadvertently, it is reflected in the other way in paragraph No.8. As such the applicant be permitted to delete paragraph No.8 from the application.

3. The oral prayer is granted. Amendment without delay be carried out during the course of the day.

4. The submission is that the committee was permitted to conduct inspection, in view of order dated 26.04.2018. But the Chairman of the Society was at Delhi when the scheduled date was informed. It was very difficult for the Chairman to arrange for immediate return journey and if the responsible authority like Chairman are present, at the time of visit of committee, it would facilitate the applicant's society to provide the necessary information to the committee.

5. Mr. Advant submitted that the schedule of the committee visiting to institute was already informed to the institute. In our opinion without going in to the controversy, the issue can be resolved by directing the committee appointed by AICTE to fix the date for next visit, so as to comply the order of this Court dated 26.04.2018 and on the scheduled date the committee and

the representative of the applicant or the office bearers of the applicants society would be present. The committee may also undertake exercise of seeking certain information from the society and refer the details of visit and submit a copy to the applicant and may obtain endorsement of the representative of the applicant society. If such an exercise is undertaken the copy be placed before this Court on the next date.

6. The learned counsel Mr. Advant on instructions submits that the committee appointed by AICTE has fixed the date for inspection in the week commencing from 9th July, 2018 and the date would be informed to the applicant society.

7. In view of the statement made by the learned counsel Mr. Advant for AICTE nothing survives. The application is disposed of accordingly.

8. The report of the committee be placed on record for consideration at the time of hearing the petition.

9. Stand over to 12.07.2018.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]