

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Seventeenth day of April Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE S. VAIDYANATHAN

WMP No.10634 of 2018

IN WP.2671/2018

BHARATH INSTITUTE OF HIGHER [PETITIONER]
EDUCATION & RESEARCH, (DECLARED AS DEEMED TO
BE UNIVERSITY U/S 3 OF UGC ACT, 1956),
SELAIYUR, CHE 73 TAMIL NADU REP BY ITS
REGISTRAR DR. S.BHUMINATHAN

Vs

1 THE CHAIRMAN, [RESPONDENTS]
ALL INDIA COUNCIL OF TECHNICAL EDUCATION,
NELSON MANDELA MARG, VASANT KUNKJ,
NEW DELHI 110 002.

2 THE SECRETARY,
UNIVERSITY GRANTS COMMISSION, BAHADUR SHAH
JAFAR MARG, NEW DELHI 110 002.

3 THE MINISTRY OF HUMAN RESOURCE
DEVELOPMENT, DEPARTMENT OF HIGHER EDUCATION,
128 C WING, SHASTRI BHAVAN, NEW DELHI 110 115

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Permit the Petitioner University to apply for AICTE approval as per the Advertisement dated 24.12.2017 in pursuance of the Pubic Notice for approval process 2018-19 by the First Respondent Advt. No. Approval / 12 (03) / 2017 signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / courses including course of management for the academic session 2018-19 and consequentially direct the 1st Respondent / AICTE to accept the application as the deadline for submission of application has expired on 31.01.2018 without penalty and 05.02.2018 with penalty and subsequently extended the same until 05.02.2018 without Penalty and 10.2.2018 with penalty (WMP.10634/2018)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.S.KRISHNAN, SENIOR COUNSEL FOR M/S.K.KUMARESH BABU, Advocate for the petitioner and of MR.B.BABU MANOHAR, Advocate for the 1 & 3 Respondents and of MR.P.R.GOPINATHAN, Advocate for the 2nd Respondent the court made the following order:-

The Petitioner/Institution has come up with this Miscellaneous Petition seeking permission to extend time to apply for AICTE approval as per the Advertisement, dated 24.12.2018 in pursuance of the public notice for approval process 2018-19 by the first respondent Advt.No.Approval/12(03)/2017, signed by Member Secretary, AICTE to obtain approval for conducting technical programmes/courses including course of management for the academic sessions 2018-19 and consequentially direct the first respondent/AICTE to accept the application, as the deadline for submission of application has expired on 31.01.2018 without penalty and 05.02.2018 with penalty and subsequently extended the same until 05.02.2018 without penalty and 10.02.2018 with penalty.

2. Today, when the matter is taken up for hearing, Mr.B.Rabu Manohar, learned Counsel appearing for the respondents 1 and 3 submitted that the cut-off date with regard to filing of application for granting AICTE approval for the academic year 2018-2019, has been extended till 30.04.2018 and that time is too short for them to process and decide about the said approval. He further submitted that all other Institutions have applied, except the Petitioner.

3. Taking note of the submissions of the parties, time for accepting the application for AICTE approval is extended till 31.05.2018. However, taking note of the order of the Hon'ble Apex Court in Transfer Petition (Civil) Nos.420-422 of 2018, dated 23.03.2018, it is made clear that no admission shall take place unless the approval is granted by AICTE.

4. The Petitioner/Institution is granted time to apply for AICTE approval within a week from today and that the AICTE shall consider the request of the Petitioner with regard to grant of approval before 31.05.2018.

5. This Writ Miscellaneous Petition is accordingly allowed. Post W.P.No.2671 of 2018 along with W.P.Nos.576, 577, 596, 1116, 1453, 1505, 1823, 2562, 2621, 2227 and 624 of 2018.

-sd/-

17/04/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN,
ALL INDIA COUNCIL OF TECHNICAL EDUCATION,
NELSON MANDELA MARG, VASANT KUNJ,
NEW DELHI 110 002.

2 THE SECRETARY,
UNIVERSITY GRANTS COMMISSION, BAHADUR SHAH
JAFAR MARG, NEW DELHI 110 002.

3 THE MINISTRY OF HUMAN RESOURCE
DEVELOPMENT, DEPARTMENT OF HIGHER EDUCATION,
128 C WING, SHASTRI BHAVAN, NEW DELHI 110 115

+ 2 C.C. to M/S.K.KUMARESH BABU Advocate Sr.No.4680

C.C. to MR.B.BABU MANOHAR, Advocate Sr.No.4724

Order
in
WMP.10634/2018
in
WP.2671/2018

Date :17/04/2018

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