

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N. BALAYOGI
+ WRIT PETITION No.22063 of 2017

% Date: 12-06-2018

Between:

1. Ashoka Sailaja Educational Society, 16-2-702/2/C, Sri Balaji House, Malakpet, Hyderabad, Ranga Reddy District, rep. by its Chairman, Mr. N. Ashok Kumar.
2. Ashoka Business School, Malkapur Village, Choutuppal Mandal, Malakpur Village, Nalgonda, rep. by its Chairman, Mr. N. Ashok Kumar.
3. Mr. N. Ashok Kumar, S/o. Anthaiah, 16-2-702/2/C, Sri Balaji House, Malakpet, Hyderabad, Ranga Reddy District.

Petitioners

Vs.

1. Jawaharlal Nehru Technological University Hyderabad, rep. by its Registrar, Kukatpally, Hyderabad.
2. The State of Telangana, rep. by its Principal Secretary, Higher Education Department, Secretariat Buildings, Secretariat, Hyderabad.
3. Telangana State Council for technical Education, Masab Tank, Hyderabad, rep. by its Member Secretary.
4. The Convener (ICET)-2017, Telangana State Council for Higher Education Masab Tank, Hyderabad.
5. All India Council for Technical Education, New Delhi, Rep. by its Member Secretary.

Respondents

! Counsel for the petitioners : Mr. Sricharan Telaprolu

^ Counsel for respondent No. 1: Mr. A. Abhishek Reddy

^ Counsel for Respondent No.5: Mr. K. Ramakanth Reddy

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? Cases referred

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ORDER: (Per VRS,J.)

The petitioner has come up with the above writ petition seeking the following relief:

a) the JNTUH Affiliation Procedure and Regulations applicable from the academic year 2017-18 notified in December 2016 with reference to Regulation 3.25 read with regulation 5.4 providing for grant of affiliation for PG Programme(s) subject to grant of affiliation of the UG Programme in the concerned department and Annexure-III of the said Regulations prescribing guidelines for appointment of Adjunct faculty as illegal, unconstitutional, ultra vires and repugnant to the norms prescribed by the 5th respondents under All India Council for Technical Education Act, 1987 and the regulations made there under;

b) the inaction of the 1st respondent in concluding the process of affiliation to the 2nd petitioner institution in respect of Post Graduate MBA Course for the academic year 201718 pursuant to the application dt.17032017 while issuing the impugned notice dt.15052017 in proposing to place the petitioner college under No Admissions Status for Post Graduate MBA course as illegal arbitrary without jurisdiction and ultra vires the JNTU Affiliation Procedure Regulations 201718 and in violative of Article 14 and 191g of the Constitution of India and consequently set aside the show cause notice dt.15052017 and direct the respondent University to process the application of the petitioner institution for grant of affiliation to Post Graduate MBA course for the academic year 20172018 submitted online on 17032017 in accordance with the Affiliation Procedure and Regulations 201718 and conclude the process before the commencement of counselling duly granting opportunity to the petitioner institution for complying the deficiencies and grant affiliation to the Post Graduate MBA course for the intake as approved by the 5th respondent duly considering the reply submitted on 20052017 submitted by the petitioner institution to the show cause notice and to allow the 2nd petitioner to make admissions for Post Graduate MBA course

2. Heard Mr. Sricharan Teaprolu, learned counsel for the petitioners Mr. A. Abhishek Reddy, learned Standing Counsel for the University and Mr. R. Ramakanth Reddy, learned Standing Counsel for AICTE.

3. The writ petition relates to affiliation for the academic year 2017-18. The petitioners came up with a challenge to the regulations and the refusal of the university to grant affiliation for certain courses..

4. On 05.07.2017 this Court passed an interim order. It reads as follows:

“Mr. A. Abhishek Reddy, learned standing counsel for the University takes notice and submits that the University has to pass orders. It appears that the counseling starts tomorrow. Therefore, the University shall pass orders within two days. If the orders are in favour of the petitioners, it is needless to say that they may be included in the counseling.
Post on 10.07.2017.”

5. It is stated that pursuant to the above interim order the university passed orders, which are not the subject matter of any proceeding. Therefore, nothing more survives in this writ petition. Hence the writ petition is closed. However, the affiliation, if any, granted pursuant to the interim order, shall be taken to have been validly granted. There shall be no order as to costs. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE N. BALAYOGI

12th June, 2018
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

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12th June, 2018

Js.