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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5587/2018 & C.M. No. 21778/2018

SATYAM EDUCATION AND WELFARE SOCIETY Petitioner

Through: Mr.Siddharth Gupta and Ms.Perna
Priyadarshini, Advs.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION AND
ORS. Respondents

Through: Mr.Anil Soni, Standing Counsel
(AICTE) with Mr.Abhinav Tyagi,
Adv.
Ms. Amrita Prakash, CGSC with
Mr.Hari S. Sharma, Adv. for R-3.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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31.05.2018

Vide the present petition, the petitioner has sought quashing of the letter dated 30th April, 2018 whereby the respondents had rejected the petitioner's application for opening an institute, namely, '*Surabhi College of Pharmacy*' from where it had been running an engineering college earlier, which now stands closed with the approval of the respondents.

Learned counsel for the petitioner submits that the said rejection order has been passed by the respondent without carrying out an inspection at the site at which the petitioner seeks to open a new Institute.

At this stage, learned counsel for the respondents, while defending the rejection order, contends that the said order was passed after a detailed scrutiny of the documents submitted by the petitioner. He, however, does

not dispute the fact that an Engineering College had been duly running from the said premises for the last about 8-9 years.

In view of the aforesaid facts showing that the building where the petitioner proposes to open a Pharmacy Institute is situated in that premises where an engineering college had been running for the last many years. I am of the considered view that the respondents, before passing the rejection order on the ground of defects relating to the building, ought to have at least got the premises inspected by the Expert Visit Committee (EVC). Accordingly, while quashing the order dated 30th April, 2018 and subject to the petitioner's depositing the requisite inspection fee within four weeks, the respondents are directed to have an EVC for conducting inspection of the said premises. In case, the petitioner is still aggrieved, it will be open to the petitioner to take legal recourse as permissible under law.

The petition is, accordingly, disposed of in the aforesaid terms.

REKHA PALLI, J.

MAY 31, 2018
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