

#11

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 10.09.2018

W.P.(C) 8226/2018

CMD GLOBAL BEING RUN

..... Petitioner

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ravi Kant, Advocate with Mr. Chandra Shekhar Singh and Mr. Mayank Manish, Advocates.

For the Respondents : Mr. Anil Soni, Standing Counsel with Mr. Abhinav Tyagi, Advocate.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

1. The present writ petition under Article 226 of the Constitution of India prays as follows:-

- (i) *This Hon'ble Court may direct the respondent AICTE to process the application of petitioner institute, seeking closer of PGDM programme; and/or*
- (ii) *This Hon'ble Court may issue an appropriate writ order or direction to Respondent AICTE to issue necessary approval for closer of PGDM programme ;and/or*
- (iii) *This Hon'ble Court may issue an appropriate writ order*

or direction to Respondent AICTE to release the amount of Rs. Fifteen Lakh, as deposited at the time of getting approval as FDR; and/or

(iv) Pass any other order as the Hon'ble Court may deem fit in the facts and circumstances of this case.

2. Learned counsel appearing on behalf of the petitioner institution states that, despite filing an application seeking closure of the PGDM programme being conducted by them, with the AICTE in 2012, the latter have not made any determination thereon, as required by law.

3. As consequence thereof, the amount of Rs. 15,00,000/- deposited by the petitioners with the AICTE, at the time of being accorded approval to run the subject course, has not been refunded to them.

4. On the last date of hearing, i.e. on 07.08.2018, learned counsel appearing on behalf of the respondent had prayed for time to obtain instructions, in relation to the abovementioned reliefs.

5. Learned counsel appearing on behalf of the official respondent states that, despite all their efforts, they have been unable to obtain instructions, from their client.

6. In view of the foregoing and having heard learned counsel appearing on behalf of the parties and perused the record, it is directed that, the official respondent shall take necessary action to determine the petitioner's application seeking closure of the PGDM programme, in accordance with law, as expeditiously possible, and preferably

within a period of six weeks from today, under intimation to the petitioner.

7. Directed accordingly.
8. No further directions are called for in the present writ petition.
9. With the above directions the writ petition is disposed of.

SEPTEMBER 10, 2018
p'ma

SIDDHARTH MRIDUL
(JUDGE)



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