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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

PUBLIC INTEREST LITIGATION NO. 33 OF 2014

Citizen Forum for Sanctity in Educational
System through its Member, Mr. Sanjay Kelkar. ... Petitioner.

V/s.

Member Secretary, AICTE & Ors. ... Respondents.

Mr. Ashish Mehta a/w Kaustubh Gupte for the Petitioner.

Mr. Abhijeet Joshi for the Respondents 1 and 2.

Mr. P.P. Kakade, AGP for Respondents 3,4 and 7.

Mr. Rui Rodrigues for Respondents 6 and 13.

***CORAM : NARESH H. PATIL, C.J. &
N.M. JAMDAR, J.***

DATE : 24 JANUARY, 2019.

P.C. :-

The learned Counsel for the Petitioner submits that the main contention of the Petitioner is that some of the Engineering Colleges without having the Occupancy Certificate were running the Colleges. The list of eleven such Engineering Colleges is mentioned in paragraph 5 of the Petition.

2. The learned Counsel appearing for AICTE submits that the necessary steps and actions have been taken and on intimation the respective Management of the Engineering Colleges have resorted to seeking appropriate Occupancy Certificate from the Local Authorities/Bodies. The learned Counsel submits that some of the Colleges have received such certificates and some of them have approached this Court by filing independent Petitions wherein their occupation has been protected by the Court.

3. The learned Counsel for the Petitioner submits that in view of the subsequent developments and as the purpose of bringing to the notice the above stated fact by the Petitioner is over, the Petition can be disposed of as per the instructions received from the Petitioner.

4. The order passed on 18 September 2018 by the Division Bench of this Court (Coram : Shantanu S. Kemkar and Sarang V. Kotwal, JJ.) reads as under :-

“ Learned Counsel for the Petitioner seeks time to get instructions from the Petitioner as to whether the Petition can be withdrawn as the AICTE has already taken appropriate actions and it is still taking actions as and when required.

2. In view of the aforesaid, list this matter in the next week under the caption for 'Withdrawal'.”

5. In view of the statement made by the learned Counsel as above, the Petition is disposed of.

6. It is clarified that we have not expressed any opinion on the authenticity and legality of any such Occupancy Certificates granted in favour of the Engineering Colleges. In case the Petitions filed by the Management of Engineering Colleges are pending on the subject issue, they will be considered on their own merits without being influenced by the outcome of this Petition.

N.M. JAMDAR, J.

CHIEF JUSTICE