

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7181 OF 2019**

Late GN Sapkal College of Engineering & Anr

...Petitioners

Versus

All India Council for Technical Education & Ors

...Respondents

Mr Rameshwar N Gite, *for the Petitioners.*

Mr Abhijeet Joshi, *for Respondent No. 1.*

Mr Rui Rodrigues, *with DP Singh, for Respondent No. 2.*

Mrs Reena A Salunkhe, AGP, *for Respondents Nos. 3 & 4-State.*

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ**

DATED: 12th July 2019

PC:-

1. When this Petition was placed before us today, Mr Abhijeet Joshi appearing on behalf of the All India Council of Technical Education (“AICTE”), on instructions, makes the following statements.

2. The Petitioners before us are an Educational Institution and conducting integrated educational course programmes in the field of engineering and technology.

3. The Petitioner had claimed that they have all the approvals in this case. There was also an approval granted by the AICTE.

4. It is stated that this approval had to be extended for which the Petitioner made an application. That application was considered and certain deficiencies were noted.

5. The Petitioner then pointed out that there is an urgency given the on-set of the academic session 2019-20. The approval was extended but with a 50% reduction of the approved intake for the undergraduate courses of Mechanical Engineering and Electrical Engineering.

6. Mr Joshi states that he is in receipt of a communication from the AICTE of today's date, 12th July 2019, which informs the Government of Maharashtra and, particularly, the Secretary in the Department of Technical and Higher Education, that the intake capacity of the Petitioner institution for Mechanical Engineering has been restored.

7. As far as the Electrical Engineering is concerned, Mr Rameshwar Gite appearing on behalf of the Petitioners, on instructions, states that the Petitioners are satisfied with the restoration of the intake capacity of Mechanical Engineering. They are not pressing the Petition in so far as Electrical Engineering intake capacity restoration is concerned.

8. Accepting Mr Joshi's statement as undertaking to this Court and in the light of the instructions received by Mr Gite, the Writ Petition is disposed of.

9. We place on record the request of Mr Joshi to take on file an Affidavit of the AICTE with regard to the intake capacity of Electrical Engineering course. Since Mr Gite has instructions not to press the Petition, that Affidavit is returned to Mr Joshi. A copy of the communication of AICTE is taken on record and marked "X" for identification with today's date.

10. All concerned, including the Government of Maharashtra, Department of Higher and Technical Education, to act on an authenticated copy of this order.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)