

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.24825 of 2018

ORDER:

Heard.

2. Petitioner was aspiring to secure admission in National Institutes of Technology (NITs) situated at various places in the country. Pursuant to the examination held for admission to NITs for the academic year 2018-19, based on the performance of the petitioner, he was provisionally allotted to National Institute of Technology (NIT), Tadepalligudem. Petitioner is aggrieved by cancellation of his provisional admission and this writ petition is filed challenging the same.

3. When the writ petition is taken for consideration, Sri T.Mahender Rao, Standing Counsel for NIT, Warangal, assisted the Court by placing relevant information with regard to admissions into NITs, the status of the petitioner on getting admission into the academic year 2018-19.

4. Sri T.Mahender Rao submits that provisionally selected candidates are required to appear before the Reporting Centre. NIT, Warangal, is the Reporting Centre where candidates have to report for consideration of the options exercised by them. On due consideration appropriate allotment of course of study would be made and there on student has to join the allotted college. As the petitioner was provisionally allotted to NIT, Tadepalligudem, the said Institute has to be impleaded as respondent and the NIT, Warangal, is no way concerned with the same.

5. According to the learned Standing Counsel, as per the orders of the Government of India in Office Memorandum No.F.35-12/2013-TS.III, dated 08.01.2018, the Central Seat Allocation Board (CSAB) was constituted by the Government of India for allocation of seats in the Participating Institutions and for the academic year 2018-2019 also the said Board is the competent authority to deal with all admission matters. By referring to clause 6 (xi) of the said Office Memorandum, he would submit that this clause makes it clear that CSAB alone is competent to look into the admission matters. Further, by reading Clause 11 thereof, he would submit that if any dispute arises, the jurisdiction to adjudicate the dispute lies in the High Court of Karnataka at Bangalore. He further submits that CSAB ought to have been impleaded as respondent whereas CSAB is not impleaded. Therefore, the writ petition is not maintainable.

6. Learned Standing Counsel also submits that the petitioner's candidature was not processed further as he has not secured the minimum percentile in Intermediate examination. As per the national average percentile arrived at by the CSAB, the candidate should secure minimum 76 percentile whereas the petitioner did not secure and therefore he is not otherwise eligible.

7. Without going into the issue of petitioner's eligibility, having regard to the fact that CSAB alone is the competent authority for determining the issues of admissions whereas CSAB is not arrayed as respondent and that the provisional allotment of the petitioner was to NIT, Tadepalligudem, whereas the said Institute is also not arrayed as respondent and in the absence of arraying the proper

and necessary authorities as respondents, relief sought in the writ petition can not be granted and accordingly, the Writ Petition is dismissed.

8. Miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

19th February, 2019.
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P.NAVEEN RAO, J

