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

Date of Decision: 14.10.2019

+ LPA 659/2019 & CM APPLs. 44989/2019 & 44990/2019

ANJALI COLLEGE OF PHARMACY & SCIENCE

..... Appellant

Through: Mr. Aseem Mehrotra, Adv.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

..... Respondent

Through: Mr. Anil Soni, Standing Counsel,
AICTE with Mr. Devesh Dubey, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

D.N. PATEL, CHIEF JUSTICE (Oral)

CM APPL. 44990/2019 (exemption)

Allowed, subject to just exceptions.

LPA 659/2019 & CM APPL. 44989/2019

1. This Letters Patent Appeal has been preferred by the appellant (original petitioner) whose W.P.(C) No.10486/2019 along with stay application is pending before the learned Single Judge and the interim order has been passed issuing notice on 27.09.2019.

2. As the appellant (original petitioner) is in search of ex parte ad interim relief which was not granted by the learned Single Judge and as the learned Single Judge has issued notice vide order dated 27.09.2019, this Letters

Patent Appeal has been preferred.

3. Having heard learned counsel for the petitioner and looking to the facts and circumstances of the case, it appears that only against the issuance of the notice, the present Letters Patent Appeal has been preferred. No rights and liabilities of the parties have been decided by the learned Single Judge.

4. Much has been argued out by the counsel for the appellant (original petitioner) about the merits of the case and about the allegations of charging higher fees by the appellant Institution from the students of B. Pharmacy faculty. Earlier, a writ petition has also been preferred i.e. W.P.(C) No.9144/2019 and disposed of vide order dated 26.08.2019 (At Page No.41 of this Letters Patent Appeal).

5. As the writ petition as well as stay application is pending, we are not entering into the merits of the case, otherwise there will be nothing left to be decided by the learned Single Judge.

6. Suffice would it be to say that looking to the order of the learned Single Judge dated 27.09.2019, notice has been issued. Hence, against that order, we see no reason to entertain this Letters Patent Appeal and the same is therefore dismissed. The pending application also stands disposed of accordingly.

CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 14, 2019

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