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

+ **W.P.(C) 622/2020 & CM APPL. 1704/2020**

RELIGARE FINVEST LIMITED

..... Petitioner

Through : Mr. Sanjeev Singh, Mr. Apoorv Rasgogi, Ms. Amisha Agarwal, Ms. Sampanna Pani and Mr. Prashant Tripathi, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through : Mr. Nawal Kishore Jha, Adv. for R-1/UOI.
Mr. Anil Soni, Standing Counsel for R-2/AICTE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **20.01.2020**

CM No.1704/2020

1. Allowed, subject to just exceptions.

W.P.(C) 622/2020

2. The substantive prayers made in the writ petition are as follows :

“(a) Issuance a writ or direction in the nature of mandamus or any other writ directing Respondent no. 3 University to revoke the affiliation of Respondent no. 6 college for the next academic session 2020-2021 and direct Respondent no. 2 AICTE to not grant extension of approval for the academic year

2020-2021 to Respondent 6 since the Petitioner has initiated action for enforcement of security under the provision Securitisation & Enforcement of Security Act, 2002 for taking possession of the mortgaged property on which Satya College of Engineering & Technology (Respondent no. 7) is situated; AND/OR

(b) Direct Respondent no. 2 and 3 to safeguard the interest and academic future of the current students of respondent no. 6 by relocating the students to similar Colleges/ institutions for the next academic year 2020-2021; AND/OR

(c) Direct respondent no. 6 & 7 not to take further admissions of new students for the next academic year 2020 - 2021.”

3. As would be evident from the prayers made in the writ petition, for the moment, the parties who are most relevant for the purposes of adjudication are respondent no.2/AICTE as well as respondent nos.3 and 4.

4. I am told by Mr. Sanjeev Singh, who appears on behalf of the petitioner, that advance notice of the present proceedings was given to all respondents. However, today, before me only respondent no.1 and respondent no.2/AICTE are represented.

5. Mr. Anil Soni, who appears on behalf of respondent no.2/AICTE, says that a representation dated 19.12.2019 has been filed by the petitioner, which, in essence, replicates what is stated in the writ petition.

5.1 Mr. Soni also informs me that the hearing *qua* the petitioner's representation is slated for today (i.e. 20.01.2020) and that after hearing all concerned, a decision will be taken in the matter.

6. Therefore, to my mind, at this stage, the writ petition is premature.
7. Respondent no.2/AICTE will hear all concerned, which would include the petitioner and all those, who are likely to be affected by its decision. Respondent no.2/AICTE, after giving them due opportunity of hearing, will pass a speaking order.
8. Copies of the order passed by the respondent no.2/AICTE will be furnished to the petitioner as well as persons concerned with the decision.
9. The captioned writ petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

JANUARY 20, 2020

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