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

+ **WP(C) 3198/2020 & C.M. 11119/2020 & 11120/2020**

JUSTICE FOR RIGHTS FOUNDATION AND ORS Petitioners
Through: **Mr. Sunil Dixit with Mr. Satyam Singh, Advocates**

versus

UNION OF INDIA & ANR. Respondents
Through: **Ms. Maninder Acharya, ASG with Mr. Krishanesh & Mr. Rohan Anand, Advocates**
Mr. Apoorv Kurup, Advocate for respondent No.2/UGC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **20.05.2020**

HEARD THROUGH VIDEO CONFERENCING.

1. The present petition has been filed as a PIL by the petitioner, praying *inter alia* that concessions be given on the academic fee for the next semester for the students who are studying in private colleges in Delhi, the colleges be directed not to charge a lump sum fee or to delete the names of such students who are not in a financial position to pay the fee on the ground that there is outstanding fees payable by them.

2. At the outset, Mr. Apoorv Kurup, learned counsel for the respondent No.2/UGC states that this is the second round of litigation initiated by the petitioner on the same cause of action. Prior hereto, the petitioner had filed a writ petition (civil) vide diary No.11079/2020 before the Supreme Court for the very same relief which was, however, declined and the said petition was dismissed vide order dated 8.5.2020. Learned counsel points out that at that

stage, the petitioner had not reserved its right to approach the High Court for the same relief under Article 226 of the Constitution of India.

3. Ms. Maninder Acharya, learned ASG, submits that, in any event, the petitioner has failed to implead necessary and proper parties in the present petition, which itself is a ground for the dismissal of the writ petition. It is submitted by the learned ASG appearing for the respondent No.1/UOI and by learned counsel for respondent No.2/UGC that there are different Fee Committees constituted for fixing the fee payable by students studying in private institution in different States and it is for the concerned Fee Committee to take a call in the matter.

4. At this stage, learned counsel for the petitioner states that the petitioner may be permitted to withdraw the present petition, while reserving its right to file a fresh petition by impleading the Fee Committee and the State Government as co-respondents therein and thereafter seek appropriate relief.

5. In view of the submissions made hereinabove, the present petition is disposed of along with the pending applications, with liberty granted, as prayed for.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

MAY 20, 2020

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