

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1601 of 2019**

1. Shri Rawatpura Sarkar Universtiy Near Shadani Darbar, Village - Dhaneli, Post Office Mana, Dhamtari Road, Raipur Chhattisgarh. Through Its Director, Atul Kumar Tiwari, S/o Late Shri K.C. Tiwari, Aged 42 Years, Resident of Shri Rawatpura Sarkar Ashram, Dhaneli, New Dhamtari Road, Raipur, Chhattisgarh. Civil and Revenue District -Raipur, Chhattisgarh.
2. Atul Kumar Tiwari S/o Late Shri K.C. Tiwari Aged About 42 Years R/o Shri Rawatpura Sarkar Ashram, Dhaneli, New Dhamtari Road, Raipur. District : Raipur, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh Through Secretary, Higher Education Department, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh.
2. Chhattisgarh Private University Regulatory Commission Madhu Pillai Chowk, Infront of Ram Mandir, Shanti Nagar, Raipur, District -Raipur, Chhattisgarh.
3. University Grant Commission, Through its Registrar, Bahadur Shah Zafar Marg, New Delhi -110002.

-----Respondents

For Petitioners : Shri B. P. Sharma, Advocate.
 For Respondent No.1 : Shri Siddharth Dubey, Dy. GA.
 For Respondent No.2 : Shri Sabhyasachi Bhaduri, Advocate.
 For Respondent No.3 : Shri S.S. Rajput, Advocate.

Hon'ble Shri PR Ramachandra Menon, Chief Justice &**Hon'ble Shri Justice Parth Prateem Sahu****Order on Board****Per PR Ramachandra Menon, CJ****06.01.2021**

1. The prayers are in the following terms :-

“10. (A). A writ and/or an order in the nature of appropriate writ do issue calling for the records of the respondent for its kind perusal.

(B). A writ and/or an order in the appropriate nature declaring the proviso 2 of the Section 9(1) of the CG Private University Act 2005 as inserted by CG Gazette notification dated 17th May 2010 as ultra virus to the Constitution of India and University Grant Commission Act 1956.

(C). A writ and/or an order in the appropriate nature of declaration to the effect that no prior approval is required for offering courses as mentioned in the letter dated 25.07.2018 (P/4) issued by the respondent authorities and in consequence thereto declare that the petitioner University is entitled to offer and run any academic courses like the State University subject to compliance of norms fixed if any under the University Grant Commission Act 1956 or in any other central legislation.

(D). Any other relief which this Hon'ble Court may deem fit in the facts and circumstances of the case.

(E). Cost of the petition may also be awarded.”

2. Shri B. P. Sharma, the learned counsel for the petitioners submits that IA No.4/2020 has been filed seeking for withdrawal of writ petition in the light of the subsequent developments.
3. In view of the turn of events, we allow the prayer sought for in the IA No.4/2020.
4. The writ petition stands dismissed as withdrawn.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge