

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

KANCHAN
VINOD
MAYEKAR

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WRIT PETITION NO. 5222 OF 2021

**Kastruri Shikshan Sanstha Institute of
Management**

..... Petitioner

VERSUS

**All India Council for Technical Education
& Ors.**

..... Respondents

Mr.Tejash Dande, a/w. Mr.Bharat Gadhavi, Mr.Vishal Navale,
Mr.Aniket Aghade, Ms.Trushna Shah, Mr.Chinmay Deshpande, i/b.
Tejas Dande & Associates for the Petitioner.

Ms.Kavita N.Solunke, A.G.P. for the State – Respondent no.6.

Mr.Ashutosh Misra for the Respondent no.7.

Mr.Abhijit Joshi for the Respondent no.1.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.
DATE : 5th OCTOBER, 2021**

P.C:-

After arguing the matter for some time, Mr. Dande, learned
counsel for the petitioner seeks liberty to withdraw this petition
unconditionally.

2. We have perused the order dated 23rd August, 2021 passed by

this Court in the earlier writ petition filed by the petition bearing no. 2454 of 2021 *inter alia* praying for order and direction against the respondent no.1 to accept and process the application of the petitioner for Extension of Approval for the year 2021-2022 for the Institution of Management (Post Graduate MBA Course) conducted by the petitioner and seeking further direction to include the name of the petitioner's Institute Management in the Centralized Admission Process for the academic year 2021-2022.

3. After hearing the parties at length, this Court on 23rd August, 2021 dismissed the said Writ Petition bearing No. 2454 of 2021 after recording the detailed reasons.

4. In this writ petition, the petitioner seeks the declaration that the petitioner's institute is eligible for participation in Centralized Admission Process of Post Graduate MBA Course for the Academic Year 2021-2022 without insisting for Approval/Extension of Approval from the respondent no.1 i.e. AICTE.

5. The petitioner also seeks an order and direction against the respondent nos. 4 to 6 to include the name of the petitioner in the list of

the colleges and institutes which are eligible for participation in Centralized Admission Process of Post Graduate MBA Course for the academic year 2021-2022.

6. It is the case of the petitioner that the petitioner at the first instance was not required to apply for Extension of Approval for the academic year 2021-2022 for the said post and thus has filed this petition.

7. It is not the case of the petitioner that the said Writ Petition bearing No. 2454 of 2021 filed by the petitioner was wrongly filed. The petitioner has not impugned the said order dated 23rd August, 2021 passed by this Court dismissing the said writ petition seeking an order and direction against the respondents to accept Application for Extension of Approval for the academic year 2021-2022. The petition now filed by the petitioner before this Court is contrary to the plea in the earlier writ petition for Extension of Approval for the academic year 2021-2022. We have thus not permitted the learned counsel for the petitioner to withdraw this petition.

8. In our view, the petition is a gross abuse of law. The petitioner

could not have filed the second petition. Writ petition is accordingly dismissed with cost quantified cost at Rs.50,000/- (Rupees fifty thousand only) which shall be paid by the petitioner to the respondent no.1 within one week from today.

[ABHAY AHUJA, J.]

[R.D.DHANUKA, J.]