

BASAVRAJ
GURAPPA
PATIL

Digitally
signed by
BASAVRAJ
GURAPPA
PATIL
Date:
2022.10.18
10:13:39
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12211 OF 2022

Late Bhausaheb Hiray
SS Trusts Dr Baliram Hiray
College of Architecture

..... Petitioner

Vs.

The Union of India & Ors.

..... Respondents

Mr. Shailendra Kanetkar for the Petitioner
Mr. Rui Rodrigues a/w. Ms. Neiyati Masurkar for Respondent No.1
Mr. Anirudh Bhatt a/w. Mr. Wesley Menezes for Respondent No.4
Mr. Sameer Khedekar for Respondent No.5
Ms. S. S. Bhende, AGP for the State

**CORAM: S.V.GANGAPURWALA &
R.N. LADDHA, JJ.**

DATED : OCTOBER 17, 2022

P.C.

1 The Petitioner seeks continuation of affiliation for the academic year 2022-2023 for its M.Arch. Course.

2 The learned Counsel for the Petitioner submits that last year also same exercise was required to be done. The Petitioner had filed Writ Petition No.7425 of 2021 wherein this Court on 29th October 2021 granted interim protection to the Petitioner and allowed the Petitioner to admit 20 students in the CAP round. According to the learned Counsel, the admission of these 20 students was made

subject to further orders as may be passed in the Writ Petition. According to the learned counsel, the affiliation of the Petitioner has not been rejected. The show cause notice is only issued to the Petitioner. The same methodology may be adopted as was adopted in the last year by this Court.

3 The learned Counsel for Respondent No.3 submits that show cause notice has been issued to the Petitioner and explanation is sought in that regard within seven days and the decision would be taken by 30th October 2022 by the Council.

4 The admission process has already commenced. Third CAP round would end on 28th October 2022 and thereafter there would be institutional round.

5 Final decision is not taken by Respondent No.3 qua extension of the approval for the academic year 2022-2023. The Petitioner is already issued with the show cause notice. The Petitioner shall reply the same within three days from today.

6 Respondent No.3 shall thereafter take decision upon the Application / proposal of the Petitioner for continuation of approval for the academic year 2022-2023 with intake capacity of 20 students for M.Arch course positively on or before 25th October 2022.

7 The parties shall take further steps consequent to the order passed by Respondent No.3.

8 The Writ Petition is disposed of. No costs.

9 All contentions of the parties are kept open.

(R.N. LADDHA,J.)

(S.V. GANGAPURWALA, J.)