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

+ **W.P.(C) 2045/2020 & CM APPL.21192/2023**

BHAGWAN ADARSH POLYTECHNIC COLLEGE Petitioner

Through: Mr.Chandrashekhar Singh, Advocate.

versus

ALL INDIA COUNCIL FOR TEACHER EDUCATION

..... Respondent

Through: Mr.Devvrat Yadav, Advocate for
Mr.Anil Soni, Standing Counsel.

+ **W.P.(C) 2046/2020 & CM APPL.21070/2023**

J M POLYTECHNIC COLLEGE Petitioner

Through: Mr.Chandrashekhar Singh, Advocate.

versus

ALL INDIA COUNCIL FOR TEACHER EDUCATION

..... Respondent

Through: Mr.Devvrat Yadav, Advocate for
Mr.Anil Soni, Standing Counsel.

+ **W.P.(C) 2077/2020 & CM APPL.45044/2021**

CHANDRADEV MEMORIAL POLYTECHNIC COLLEGE

..... Petitioner

Through: Mr.Chandrashekhar Singh, Advocate.

versus

ALL INDIA COUNCIL FOR TEACHER EDUCATION

..... Respondent

Through: Mr.Devvrat Yadav, Advocate for
Mr.Anil Soni, Standing Counsel.

+ **W.P.(C) 2167/2020**

CHAUDHARY INSTITUTE OF TECHNOLOGY Petitioner

Through: Mr.Chandrashekhar Singh, Advocate.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

..... Respondent

Through: Mr.Devvrat Yadav, Advocate for
Mr.Anil Soni, Standing Counsel.

+ **W.P.(C) 2178/2020**

PRAKASH INSTITUTE OF POLYTECHNIC Petitioner

Through: Mr.Chandrashekhar Singh, Advocate.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

..... Respondent

Through: Mr.Devvrat Yadav, Advocate for
Mr.Anil Soni, Standing Counsel.

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Date of Decision: 27th April, 2023

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

MANMOHAN, J: (ORAL)

1. Present writ petitions have been filed seeking quashing of All India Council for Technical Education (Grant of Approval for Technical Institution) Regulations, 2020 issued by the Respondent-All India Council for Technical Education ('AICTE') to the extent that Clause 3.2 of said Regulations prohibits approval to a new technical institution at diploma/under-graduate /post-graduate level in engineering and technology course. Petitioners have also sought quashing of public notice dated 06th February, 2020 issued by the Respondent-AICTE to the extent that it does not invite applications for establishment of new technical institutions at the diploma / under-graduate / post-graduate level in engineering and technology course from the relevant next academic session, on the ground that the same is contrary to recommendations of their own committee, *ultra vires* their own Act of 1987 and also in violation of Articles 14 and 19 of the Constitution of India. Further, Petitioners have also sought direction to the respondent to accept the applications of Petitioners and grant approval for new diploma / polytechnic in engineering and technology course for the relevant next academic session.

2. Learned counsel for the Petitioners states that Respondent-AICTE has recently notified a public notice for approval process 2023-24 and also the Approval Process Handbook ('APH') 2023-24, in terms whereof, the applications of the petitioners-institutions pending with the Respondent-AICTE are required to be processed by the AICTE without any further delay.

3. He emphasises that the fresh public notice dated 21st March, 2023 does not impose any moratorium in making the fresh applications, as was imposed by the previous public notice, which had been challenged by way of the present writ petitions.

4. Mr.Devvrat Yadav, Advocate appearing on behalf of Mr.Anil Soni, learned counsel for the Respondent-AICTE, on instructions, states that AICTE shall process the applications filed by the petitioners in accordance with law on or before 30th June, 2023.

5. Consequently, the present writ petitions along with applications are disposed of with a direction to the Respondent-AICTE to process and decide the applications of the petitioners for grant of approval for the academic session 2023-24 on or before 30th June, 2023. Needless to say that the applications of the petitioners shall be decided on their own merits without being influenced by any observation made by this Court.

MANMOHAN, J

SAURABH BANERJEE, J

APRIL 27, 2023
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