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

+ **W.P.(C) 9232/2024 & CM APPL. 37832/2024**

**AISHWARYA COLLEGE OF IT AND MANAGEMENT ----**

.....Petitioner

Through: Mr.Sanjay Sharawat and Mr.Ashok  
Kumar, Advs.

versus

**ALL INDIA COUNCIL FOR TECHNICAL EDUCATION**

.....Respondent

Through: Mr.Anil Soni, SC with Mr.Devvrat  
Yadav, Advs.

Mr. Apoorv Kurup and Ms. Gauri  
Goburdhun, Advs. for R-2

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+ **W.P.(C) 9342/2024 & CM APPL. 38298/2024**

**SALASAR BALAJI INSTITUTE OF TECHNOLOGY**

.....Petitioner

Through: Mr.Sanjay Sharawat and Mr.Ashok  
Kumar, Advs.

versus

**ALL INDIA COUNCIL FOR TECHNICAL EDUCATION**

.....Respondent

Through: Mr.Anil Soni, SC with Mr.Devvrat  
Yadav, Advs.

Mr. Apoorv Kurup and Ms. Gauri  
Goburdhun, Advs. for R-2

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**



**ORDER**  
**21.10.2024**

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1. The instant petition is preferred by the petitioner for quashing of notice dated 11.06.2024, wherein, the duration of the PG course is notified as 'Five Years' instead of 'Four Years integrated MBA & MCA course (post graduate)' as sought by the petitioners in their applications.
2. The Institutions in these cases are situated in Rajasthan and admittedly, outside the territorial jurisdiction of this Court.
3. Taking into consideration the various aspects of the instant petition, the Court is of the opinion that the broad controversy arising herein, is squarely covered by the several orders passed by this Court concerning the dimension of territorial jurisdiction, which are summarised below:-

| <b><u>Date of Order</u></b>  | <b><u>Cause Title</u></b>                                                                                                            | <b><u>Place where material Cause of Action arose</u></b> | <b><u>Respondent-Authority</u></b>     |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------|
| 02.09.2024                   | W.P.(C) 12041/2024<br><i>Smt. Manjira Devi Ayurveda Medical College And Hospital v. Uttrakhand University of Ayurveda &amp; Ors.</i> | Uttrakhand                                               | Uttrakhand University of Ayurveda      |
| 05.09.2024<br>Division Bench | LPA 894/2024<br><i>Smt. Manjira Devi Ayurveda Medical College And Hospital v. Uttrakhand University of Ayurveda &amp; Ors.</i>       | Uttrakhand                                               | Uttrakhand University of Ayurveda      |
| 18.09.2024                   | W.P.(C) 12049/2024<br><i>Michael Builders and Developers Pvt. Ltd. v. National Medical Commission and Ors</i>                        | Tamil Nadu                                               | The Indian Nursing Council             |
| 07.10.2024                   | W.P.(C) 14153/2024<br><i>Aryans College of Education v. National Council For Teacher Education and Anr</i>                           | Punjab                                                   | National Council For Teacher Education |



|            |                                                                                                                       |               |                             |
|------------|-----------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------|
| 08.10.2024 | W.P.(C) 14233/2024<br><i>Shri Siddhi Vinayak Medical College and Hospital Sambhal, U.P. v. Union Of India and Anr</i> | Uttar Pradesh | National Medical Commission |
| 14.10.2024 | W.P.(C) 13570/2024<br><i>Shinde Institute of Pharmacy and Research v. Pharmacy Council of India</i>                   | Maharashtra   | Pharmacy council of India   |

4. A bare perusal of the aforementioned orders would manifest that mere situs of any authority, original or appellate, would not be a sole determinative factor in conferring jurisdiction upon a High Court. Merely because a facet of cause of action has taken place in the territorial jurisdiction of this Court, the Court is not obligated to adjudicate upon the same when the essential, material and integral cause of action lies elsewhere.

5. Therefore, in light of the doctrine of *forum non- conveniens*, which is attracted to the facts at hand, the Court is not inclined to entertain the instant petition.

6. In view of the aforesaid, the petition stands disposed of, with a liberty granted to the petitioners to approach the jurisdictional High Court.

7. All rights and contentions of the parties are left open.

**PURUSHAINDRA KUMAR KAURAV, J**

**OCTOBER 21, 2024/MJ**