

(2010) 07 UK CK 0091
In the Uttarakhand High Court

Maya Institute of Technology

APPELLANT

Vs

All India Council for Technical Education and Others

RESPONDENT

Date of Decision : 09-07-2010

Acts Referred:

Citation : (2010) 07 UK CK 0091

Hon'ble Judges : V.K. Bist, J

Bench : Single Bench

Judgement

V.K. Bist, J.—Present writ petition has been filed by the petitioner for a direction to respondent No. 1 to issue the letter of approval to the petitioner regarding Engineering Course.

2. Brief facts of the case are that petitioner applied for establishing a new Engineering College in the name of Maya Institute of Technology and also for including respondent No. 1 as Management of the College. The application of the petitioner was registered as 1-8228763. Thereafter, process of granting approval started. After the scrutiny, deficiency was found in the approved site plan of the petitioner and he was directed to remove deficiency. On 05.05.2010 petitioner wrote a letter to respondent No. 4-The Regional Director (Northern Region) AICTE, Government Polytechnic Campus, Vikasnagar, Kanpur (for short Regional Director) informing him about the rectification of the deficiencies. On 06.06.2010 petitioner appeared before respondent No. 4 and the Committee No. C-13 asked the petitioner about the architectural design and the future building of the College. The petitioner fulfilled all required formalities which were asked by the respondent No. 4-Regional Director on 07.05.2010. Thereafter, on 06.06.2010 the petitioner approached respondent No. 4 for further progress in his matter. But in this regard petitioner received a letter dated 10.06.20 10 in which petitioner was informed by respondent No. 4 that the expert committee will visit the site plan and will submit its report. After inspecting the site plan expert committee submitted its report on 13.06.2010. Therefore, after receiving the recommendation from respondent No. 4, respondent No. 1 considered the matter

of petitioner alongwith other applicants. On 26.06.2010 respondent No. 1 issued a letter of approval of 159 institutions in which name of petitioner-institution was not included. Thereafter, vide letters dated 27.06.2010 and 01.07.2010 petitioner approached the respondent No. 4 for issuance of his approval. But inspite of the recommendation of respondent No. 4, the respondent No. 1 has not issued letter of approval to the petitioner.

3. Learned Counsel for the petitioner submitted that though petitioner has completed all required formalities but approval is not being granted to the petitioner. Even no decision is being taken in respect of the petitioner-institution though respondent No. 4 has taken decision and granted approval to 159 institutions. The list of those institutions is annexed as annexure 5 to the writ petition.

4. Learned Counsel for the respondent Nos. 1 & 4 submitted that at present he cannot say anything about the formalities completed by the petitioner and for this purpose sometime be given to him.

5. At this, the learned Counsel for the petitioner states that required formalities has been completed and if any deficiency is there then the petitioner would have been informed.

6. After hearing learned Counsel for the parties and after examining the record, this Court thinks it proper to direct the respondent No. 1 to decide the representation dated 1st July, 2010 which was submitted on 2nd July, 2010 expeditiously, preferably within a period of 7 days from the date of production of certified copy of the order.

7. With these observations, the writ petition is disposed of.

8. Interim relief application No. 5419 of 2010 also stands disposed of.

9. Let the certified copy of the order be given to the counsel for the parties today on payment of usual charges.