

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No: **W.P.Nos.5753 & 5757 of 2025**

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	28.04.2025	<p>The present petitions have been filed challenging the action of the respondent University in withholding the login credentials which prevents the petitioner colleges from depositing the examination fee in regard to the students who are undertaking their law courses from the said institutions.</p> <p>The petitioners have placed on record material to show that they have obtained the requisite NOC dated 24.12.2022 (in WP.No.5757 of 2025) and dated 21.12.2022 (in WP.No.5753 of 2025) as also the temporary affiliations dated 30.12.2023 from the University for purposes of setting up the colleges as also the interim approval which was obtained from the Bar Council of India.</p> <p>Permission is also stated to have been accorded by the Department of Higher Education.</p> <p>It appears from the record that the Fee Monitoring Committee constituted by the Government also fixed the fee which was otherwise to be charged from the students who would undergo the courses in the said two colleges.</p>	

Admissions were made by the petitioner colleges and the list communicated to the State Council for Higher Education where-after admissions were made and the students are undergoing the courses in the petitioner law colleges.

It appears that with a view to enable the petitioners to deposit the examination fee with the University, under whose aegis the examinations are conducted, a request was made by the petitioners as early as on 29.08.2024 and 30.09.2024 with the University seeking their permission to give them the digital affiliation which in other words means to provide them with a code for enabling them to deposit examination fee which is stated to be approximately Rs.1,727/- per student.

In both colleges, it is stated that there are as many as 120 students who are required to be enabled to undertake the examination for which the examination fee was required to be deposited with the University.

The stand of the University appears to be that the petitioners had not approached the University within the time prescribed and that in the meantime the portal which is maintained by the Andhra Pradesh Centre for Financial Systems and Services was closed

in August, 2024 and hence, the examination fee cannot be permitted to be accepted at this belated stage.

It is not denied that the examinations are starting with effect from 29.04.2025.

By virtue of our interim directions, dated 02.04.2025, we had directed the respondent University to consider the case of the petitioners for permitting the students who are admitted in the colleges for appearance in the first semester examination subject to payment of the requisite examination fee.

Although counter-affidavits have not been filed to the main writ petitions, yet the stand of the University is reflected in the contempt petitions preferred by the petitioner colleges on the ground that the University had not taken an appropriate decision based upon the directions so issued on 02.04.2025.

In our opinion, no contempt is made out against the University inasmuch as the decision has been taken, yet, the issue with regard to the students who are undertaking courses and are entitled to appear in the examination still requires to be considered.

In our opinion, it would be in the interest of the students who have already undertaken the courses for

one year to enable them to appear in the examination and the students in our opinion cannot be prevented from undertaking the examination only because the University claims that the A.P Centre for Financial Systems and Services closed its portal and that the petitioner colleges had approached the University late.

Learned counsel for the respondent University has failed to draw our attention to any statutory provision of the University statutes which would prevent the students from appearing in the examination only because the application seeking digital affiliation was filed late.

In any case, we are not satisfied with the plea advanced by the counsel for the University that there was any delay in approaching the University within time inasmuch as the petitioners have drawn our attention to communications, dated 29.08.2024 and 30.09.2024 by virtue of which digital affiliations were sought which were much prior to the actual conduct of examination by the University.

We, therefore, direct the University to permit the students undergoing the law courses from the colleges in question.

The examination fee on behalf of such students shall be collected by the University in physical mode

on payment of demand draft.

The application forms of the students shall also be submitted in physical forms with the University who shall take all appropriate steps to ensure that the students do not suffer only on account of the alleged late deposit of the examination fee.

Learned counsel for the respondent University shall communicate this order to the University with a view to ensure compliance.

List on 25.06.2025 along with WP(PIL).No.129 of 2024.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

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