

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4896 of 2024**

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RAHUL POPAT S/O KIRAN POPAT & ORS.

Versus

SHANTI BUSINESS SCHOOL & ORS.

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Appearance:

MR. AUM M KOTWAL(7320) for the Petitioner(s) No. 1,2,3,4,5

for the Respondent(s) No. 1,3,4,5

MR. SAHIL TRIVEDI, AGP for the Respondent(s) No. 2

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 26/03/2024****ORAL ORDER**

Heard learned advocate Mr.Aum M.Kotwal for and on behalf of the petitioners and learned Assistant Government Pleader Mr. Sahil Trivedi for the respondent-State.

Considering the submissions made by learned advocate Mr. Aum Kotwal, it would appears that present petitioners had prosecuted the studies with the respondent No.1-Business School and whereas, later on it was found that the college did not have the requisite permissions to conduct the courses in question. It is submitted that at the relevant point of time the State had directed the Registrar, Gujarat University to ensure that the fees paid by the petitioners is refunded along with 50% penalty and whereas, the Gujarat University had directed the respondent No.1 to comply with the decision of the State and as of now, both the said decisions are

not implemented. Learned advocate Mr.Kotwal also brings to the notice of this Court the fact of a writ petition being Special Civil Application No. 12275 of 2016 being preferred by the respondent No.1 challenging the above referred orders and whereas it is pointed out vide order dated 25.8.2022, the said writ petition came to be dismissed for default more particularly in spite of the notice of this Court being issued to the petitioners being served upon them, yet no action was taken by the respondent No.1 thereupon.

Considering such submission, issue **Notice to the respondents making it returnable on 7th May, 2024.** By the returnable date, the respondent No. 2 and respondent No. 3 shall respond *inter alia* informing this Court as to what steps shall be taken by them for having orders dated 4.5.2016 and 5.5.2016 implemented. Mr.Sahil Trivedi, learned Assistant Government Pleader waives service of notice for the respondent-State.

Direct service is permitted for rest of the respondents.

BEENA SHAH

(NIKHIL S. KARIEL,J)