

(SHOW CAUSE NOTICE BEFORE ADMISSION) ✓
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD ✓

FRIDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR ✓

:PRESENT:

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA
WRIT PETITION NO: 4538 OF 2023 ✓

Between:

1. Joseph Sriharsha and Mary Indraja Educational Society, Plot No.102, High Court Colony, Vanasthalipuram, Hyderabad Represented by its Hon. Chairman and Correspondent, Dr. Rev. K.V.K. Rao.
2. St. Stephen's PG College, HMT Township, Qutbullapur Mandal, Jeedimetla, Hyderabad Represented by its Hon. Chairman and Correspondent Dr. Rev. K.V.K.
3. St. Xavier's PG College, HMT Township, Qutbullapur Mandal, Jeedimetla, Hyderabad Represented by its Hon. Chairman and Correspondent Dr. Rev. K.V.K.
4. Dr. Rev. K.V.K. Rao, S/o. Late Venkaiah, Occ. Educationalist, Plot No.102, High Court Colony, Vanasthalipuram, Hyderabad - 500070.

...Petitioners ✓

AND

1. Union of India, Through Ministry of HRD, Department of Higher Education Shastri Bhavan, New Delhi. Rep. by its Secretary.
2. All India Council for Technical Education, Nelson Mandela Marg, Vasant Kunj, New Delhi - 110 067. Rep. by its Member Secretary
3. All India Council for Technical Education, West Block Nos. 201-204 and 221 to 224 2nd Floor Swarna Jayanti Complex, Ameerpet, Hyderabad, Telangana 500038 Rep. by its Regional Officer.

...Respondents ✓

WHEREAS the Petitioner above named through their Advocate, PARTY IN PERSON presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the 2nd respondent

- a) in not depositing Principal amount of Rs.30,00,000/- (Rs.15,00,000/- each) and the interest accrued of Rs.27,06,700/- on Rs.30,00,000/-, @ 9.50% per annum, the FDR interest rate of State Bank of Patiala, from the date of maturity of FDR on 22.07.2013, till 06.02.2023, totaling Rs.57,06,700/- along with accrued interest @ Rs.11% per annum on Rs. 57,06,700/-, from the date of filing of the writ petition, till the date of the realization from the 2nd respondent

- b) In insisting payment of penalty of Rs.3,00,000/- (Rs.1,50,000/- each) @ 10% on the principal amount of Rs.30,00,000/-, as per clause 2.16.4 of APH 2022-23,
as illegal, arbitrary, unjust, irrational and against Clause 9 of Chapter I of the Approval Process Hand Book 2010, and consequently direct the 2nd respondent to forthwith remit the amount of Rs.57,06,700/- along with accrued interest @ 11% till the date of realization of the amount.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri PARTY IN PERSON, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Union of India, Through Ministry of HRD, Department of Higher Education Shastri Bhavan, New Delhi. Rep. by its Secretary.
2. All India Council for Technical Education, Nelson Mandela Marg, Vasant Kunj, New Delhi - 110 067. Rep. by its Member Secretary
3. All India Council for Technical Education, West Block Nos. 201-204 and 221 to 224 2nd Floor Swarna Jayanti Complex, Ameerpet, Hyderabad, Telangana 500038 Rep. by its Regional Officer.

are directed to show cause on or before 12.02.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following: ORDER

Notice Before Admission.

Learned counsel for the petitioner is present.

At request of learned counsel for the petitioner, post on 12.02.2024.

**SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. Union of India, Through Ministry of HRD, Department of Higher Education Shastri Bhavan, New Delhi. Rep. by its Secretary.
2. All India Council for Technical Education, Nelson Mandela Marg, Vasant Kunj, New Delhi - 110 067. Rep. by its Member Secretary

3. All India Council for Technical Education, West Block Nos. 201-204 and 221 to 224 2nd Floor Swarna Jayanti Complex, Ameerpet, Hyderabad, Telangana 500038 Rep. by its Regional Officer.
(FOR 1 TO 3 by RPAD- along with a copy of petition and affidavit)
4. One CC to SRI. PARTY IN PERSON, Advocate [OPUC]
5. One CC to SRI. GADI PRAVEEN KUMAR (Dy. SOLICITOR GENERAL OF INDIA) Advocate [OPUC]
6. One spare copy

HIGH COURT

SNJ

DATED: 02/02/2024

LIST ON 12.02.2024.

NOTICE BEFORE ADMISSION

WP.No.4538 of 2023

