

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11209/2020

Chandrawati Trust

-----Petitioner

Versus

The Director, Technical Education

-----Respondent

For Petitioner(s)	:	Mr. Rishabh Khandelwal
For Respondent(s)	:	Mr. C.L. Saini, AAG

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Order

03/02/2023

For the reasons stated in the application No.1/2023 filed by the respondent for taking additional affidavit along with documents on record, which is not opposed by the learned counsel for the petitioner, the same is allowed. The additional affidavit as also the documents appended with the application are taken on record.

The application (2/2022) has been filed by the petitioner seeking a direction to the respondent to issue a 'NOC' for release of the Fix Deposit Receipt (For brevity, "FDR") dated 25.07.2007 in a sum of Rs.15,00,000/- as its maturity period has come to an end as also in view of the e-mail dated 12.10.2021 addressed to it by the All India Council for Technical Education (for brevity, "AICTE") deducting 10% of the security amount.

Learned counsel for the petitioner submits that since the FDR dated 25.07.2007 has matured and it is not operating the institute any more, the petitioner is entitled for return of the FDR in terms of circular dated 12.10.2015 issued by the AICTE deducting 10%

of security amount in terms of e-mail dated 12.10.2021. He, therefore, prays that the application be allowed and the respondent may be directed to issue NOC for release of the fix deposit.

Per contra, learned AAG submits that the respondent has withheld the FDR as the petitioner is guilty of violation of memorandum of undertaking executed in between the parties which authorizes withholding of the FDR. He prays for and is granted a week's time to file affidavit of the Director Technical Education in support of his submissions.

List the matter on 14.02.2023 as prayed.

(MAHENDAR KUMAR GOYAL),J