

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2918 OF 2011  
[ARISING OUT OF S.L.P. (C) NO. 6878 OF 2009 ]

PRAVARA RURL.EDU.STY'S V.V.P.INS.OF TEC. APPELLANT(S)

VERSUS

TEACHER'S ASSN.FOR NON-AIDED POLYTECH & ORS. RESPONDENT(S)

WITH

CIVIL APPEAL NO. 2919 OF 2011  
[ARISING OUT OF S.L.P. (C) NO. 6879 OF 2009 ]

ABHINAV EDUN. STY'S COL. OF ENG.& TECH. APPELLANT(S)

VERSUS

TEACHER'S ASSN.FOR NON-AIDED POLYTECH & ORS RESPONDENT(S)

## O R D E R

1. Leave granted.
2. It is pointed out by Mr. Ravindra Adsure, learned counsel appearing for the appellants that this Court in identical matters arising out of the same impugned order passed the following order on 14.1.2010 in SLP (C) No. 182 of 2009 etc.

"Heard.

The Association of Teachers for Non-aided Polytechnic College in the State of Maharashtra filed a public Interest Litigation challenging the increase in the

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number of seats in the Polytechnic and also permitting to have second shift for the course. The High Court by its interim order stayed this direction of the State Government and it was directed that pending the hearing and final disposal of the writ petition respondent Nos. 1 to 3, namely; State, AICTE and Director of Technical Education be restrained from allowing the second shift in the existing diploma level institutions for the academic year 22008-2009 and further the diploma level institutions be also restrained from admitting students in their respective institutions as per the advertisement in the local newspapers. Some of the institutions made as respondents but many other diploma level institutions were not made party in the writ petition. They have filed these petitions against the interim order passed by the High Court. This

Court by order dated 23.1.2009 stayed the interim direction given by the High Court. For the academic year 2009-2010, students were permitted to be admitted for the second shift for the diploma level course.

We make it clear that this Court's permission to admit students is limited only to the sanctioned strength approved by the AICTE till the disposal of the writ petition.

We request the High Court to dispose of the writ petition at an early date at least within a period of six months.

The special leave petitions are disposed of accordingly."

3. We pass the aforesaid directions in these appeals also,

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however, with a rider that the said admissions shall be made strictly in terms of the conditions imposed by AICTE.

4. It is reported by Mr. Adsure that though a direction was

given in SLP(C) No. 182 of 2009 etc. to dispose of the writ

petitions within a period of six months, however, the writ

petitions still have not been disposed of. We request the High

Court to dispose of the writ petitions within three months from

the date of communication of this order. The High Court is

requested to adhere to the time schedule indicated hereinabove

strictly.

5. These appeals stand disposed of accordingly.

.....J.  
[ V.S. SIRPURKAR ]

.....J.  
[ T.S. THAKUR ]

NEW DELHI  
APRIL 1, 2011.

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ITEM NO.41

Court No.8

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).6878/2009

(From the judgement and order dated 16/10/2008 in PIL No. 126/2008

of The HIGH COURT OF BOMBAY)

PRAVARA RURL.EDU.STY'S V.V.P.INS.OF TEC.

Petitioner(s)

VERSUS

TEACHER'S ASSN.FOR NON-AIDED POLYTECH&OR

Respondent(s)

(With prayer for interim relief and office report )

WITH SLP(C) NO. 6879 of 2009

(With prayer for interim relief and office report)

Date: 01/04/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR

HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Ravindra Adsure, Adv. for  
Mr. Gopal Balwant Sathe, Adv.

For Respondent(s) Mr. Navin Prakash, Adv.  
Mr. Amitesh Kumar, Adv.  
Mr. Ravi Kant, Adv.

Mr. S. Chandra Shekhar, Adv.

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UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeals are disposed of in terms of signed order.

(Pardeep Kumar)

(Shashi Bala Vij)

Court Master

Court Master

[ SIGNED ORDER IS PLACED ON THE FILE ]