

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).34050-34080/2011

(From the judgement and order dated 29/10/2011 in WP No.16547/2010,WP No.17498/2010,WP No.20535/2010,WP No.20543/2010,WP No.20971/2010,WP No.20972/2010,WP No.21152/2010,WP No.21165/2010,WP No.21190/2010,WP No.21225/2010,WP No.21243/2010,WP No.21772/2010,WP No.21823/2010,WP No.21830/2010,WP No.21831/2010,WP No.21834/2010,WP No.21836/2010,WP No.21900/2010,WP No.21905/2010,WP No.21907/2010,WP No.21938/2010,WP No.21939/2010,WP No.21940/2010,WP No.21941/2010,WP No.21944/2010,WP No.21945/2010,WP No.21946/2010,WP No.21947/2010,WP No.22154/2010,WP No.22179/2010,WP No.22375/2010 of The HIGH COURT OF A.P AT HYDERABAD)

GOVT.OF A.P.& ORS.ETC.ETC.

Petitioner(s)

VERSUS

CONSORTIUM OF ENG.COL.MGT.ASSN.& ORS.

Respondent(s)

(With appln(s) for directions and for permission to collect fee in SLP (C) No. 34052-34053/2011 under order XLVII, SCR 1966 and exemption from filing C/C of the impugned judgment and impleadment and permission to file additional documents and c/delay in filing undertaking and intervention and seeking permission to file additional facts and with prayer for interim relief and office report)

[FOR FINAL DISPOSAL]

WITH

SLP (C) No. 13583-13584 of 2012

[with appln. for permission to file additional documents and amendment of prayer portion and office report)

Date: 04/12/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)

Mr. R. Venkataramani, Sr. Adv.
Mr. G.N. Reddy, Adv.
Mr. M. Rambabu, Adv.
Mr. S. Nagarajan, Adv.
Mr. Alfo Joseph, Adv.
Ms. Supriya Garg, Adv.
Ms. Neelam Singh, Adv.
Mr. Shodhaw Babu, Adv.

Mr. K. Rajendra Chowdhary, Sr. Adv.

Mr. B. Prakash Rao, Adv.
Dr. R. Prakash, Adv.
Mr. Uday Kumar Sagar, Adv for
M/s. Lawyer's Knit & Co.

For Respondent(s)

Mr. F.S. Nariman, Sr. Adv.
Mr. Ravindera Nath Reddy, Adv.
Mr. A.V. Rangam, Adv.
Mr. Buddy Ranganadhan, Adv.
Ms. Richa Bhardwaja, Adv.

Mr. Parag P. Tripthi, Sr. Adv.
Mr. Ravindera Nath Reddy, Adv.
Mr. A.V. Rangam, Adv.
Mr. Buddy Ranganadhan, Adv.
Ms. Richa Bhardwaja, Adv.

Mr. Shyam Divan, Sr. Adv.
Mr. Ravindera Nath Reddy, Adv.
Mr. A.V. Rangam, Adv.
Mr. Buddy Ranganadhan, Adv.
Ms. Richa Bhardwaja, Adv.

Mr. K. Rajendra Chowdhary, Sr. Adv.

Dr. R. Prakash, Adv.
Mr. Uday Kumar Sagar, Adv. for
M/s. Lawyer'S Knit & Co.

Mrs. D. Bharathi Reddy ,Adv.
Mr. M.H. Prasad, Adv.

Mr. Y. Raja Gopala Rao, Adv.
Ms. Y. Vismai Rao, Adv.
Mr. Hitendra Nath Rath, Adv.

Mr. C. Mukund, Adv.
Mr. P.V. Saravana Raju, Adv.
Mr. Ravikumar D., Adv.
Mr. Pankaj Jain, Adv.
Mr. Bijay Kumar Jain, Adv.

Mr. P.V. Saravana Raja, Adv.
Ms. Meera Mathur, Adv.

Mr. Naga Srinivas Rao, Adv.
Ms. E.R. Sumathy, Adv.

Mr. Amitesh Kumar, Adv.
Mr. Mayank Manish, Adv.
Mr. Navin Prakash, Adv.

Mr. A. Ramesh, Adv.
Mr. Y. Rajesh Kumar, Adv.
Ms. D. Geetha, Adv. for
Ms. G. Madhavi, Adv.

Mr. C.S.N. Mohan Rao, Adv.
Mr. A. Ramesh, Adv.
Mr. Y. Rajesh Kumar, Adv.
Ms. D. Getha, Adv.

Ms. T. Anamika, Adv.

Mr. G. Ramakrishna Prasad, Adv.
Mr. B. Suyodhan, Adv.

Ms. Filza Moonis, Adv.

Mr. Venkateswara Rao Anumolu, Adv.

Mr. Prabhakar Parnam, Adv.

UPON hearing counsel the Court made the following
O R D E R

VASAVI COLLEGE OF ENGINEERING : By our order dated October 18, 2012, inter alia, Vasavi College of Engineering was given an opportunity to explain to the Admission and Fee Regulatory Committee (AFRC) that the increase given by the Committee was not adequate and proper. It was further observed that AFRC would accord a brief hearing to the above institution to explain its position and then pass order with a brief reasons.

We are informed that pursuant thereto AFRC accorded hearing to the above institution and did not accept three contentions of the institution for revision of fee as sought by it for the academic year 2012-13.

Mr. F.S. Nariman, learned senior counsel for the institution, submits that a writ petition being Writ Petition No. 26673 of 2012 filed by the above institution questioning the notification dated August 25, 2012 pursuant to report submitted by AFRC dated August 18, 2012 is already pending before the High Court and liberty may be given to the institution to challenge the order of AFRC dated November 27, 2012 in the pending Writ Petition.

The prayer is fair and reasonable.

We, accordingly, observe that pendency of the present special leave petitions shall not be an impediment for Vasavi College of Engineering to challenge the report/order of AFRC dated November 27, 2012 in the pending writ petition being Writ Petition No. 26673 of 2012. Upon such challenge being laid, we further observe that the High Court shall consider the same in accordance with law.

SREENIDHI INSTITUTE OF TECHNOLOGY : By our order dated October 18, 2012, inter alia, Sreenidhi Institute of Technology was given an opportunity to explain to the Admission and Fee Regulatory Committee (AFRC) that the increase given by the Committee was not adequate and proper. It was further observed that AFRC would accord a brief hearing to the above institution to explain its position and then pass order with a brief reasons.

We are informed that pursuant thereto AFRC accorded hearing to the above institution and did not accept four contentions of the institution for revision of fee as sought by it for the academic year 2012-13.

Learned counsel for the institution submits that a writ petition being Writ Petition No. 27185 of 2012 filed by the above institution questioning the notification dated August 25, 2012 pursuant to report submitted by AFRC dated August 18, 2012 is already pending before the High Court and liberty may be given to the institution to challenge the order of AFRC dated November 27, 2012 in the pending Writ Petition.

The prayer is fair and reasonable.

We, accordingly, observe that pendency of the present special leave petitions shall not be an impediment for Sreenidhi Institute of Technology to challenge the report/order of AFRC dated November 27, 2012 in the pending writ petition being Writ Petition No. 27185 of 2012. Upon such challenge being laid, we further observe that the High Court shall consider the same in accordance with law.

MAHATMA GANDHI INSTITUTE OF TECHNOLOGY AND CHAITANYA BHARATHI INSTITUTE OF TECHNOLOGY : In respect of above two institutes, as prayed by Mr. K. Rajendra Chowdhary, learned senior counsel, liberty is granted to them for filing affidavit/s in opposition to the order passed by the AFRC on November 27, 2012.

List these special leave petitions on April 9, 2013.

