

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 permission to collect free 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 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 permission to file additional documents and office report)

Date: 25/09/2012 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.

For Respondent(s)
SLP 34050-80 Mr. K. Rajendra Chowdhary, Sr. Adv.
Dr. R. Prakash, Adv.
Mr. Uday Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
M/S. Lawyer'S Knit & Co

SLP 13583-13584 Mr. Rajendra Chowdhary, Sr. Adv.
Dr. R. Prakash, Adv.
Mr. Uday Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv. for
M/S. Lawyer'S Knit & Co

Mrs. D. Bharathi Reddy ,Adv

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

Mr. P.V. Saravana Raja, Adv.
Mr. Bijay Kumar Jain, 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. for
Ms. G. Madhavi, Adv.

Mr. A. Ramesh, Adv.
Mr. Y. Rajesh Kumar, Adv. for
Mr. C.S.N. Mohan Rao, Adv.

Ms. T. Anamika, Adv.

Mr. G. Ramakrishna Prasad, Adv.

Mr. Venkateswara Rao Anumolu, Adv.

Mr. A. V. Rangam, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No. 324 of 2012 has been taken out by the first respondent in S.L.P. (C) No. 34052 of 2011 namely; Consortium of Engineering College Management Association and I.A. No. 325 of 2012 has been taken out by respondent No. 1 namely; Chaitanya Bharathi Institute of Technology in S.L.P. (C) No. 34053 of 2011.

2. In the applications, two prayers have been made. Prayer (i) is in respect of Chaitanya Bharathi Institute of Technology seeking permission to charge a sum of Rs. 1,45,248/- (rupees one lakh forty five thousand two hundred and forty eight only) towards annual fee for the fresh students admitted in the year academic year 2012-2013. The other prayer being prayer (ii) is in respect of Mahatma Gandhi Institute of Technology seeking permission to charge a sum of Rs. 1,10,390/- (rupees one lakh ten thousand three hundred and ninety only) towards annual fee for the fresh students admitted in the academic year 2012-2013. While making such prayers, applicants have criticised G.O. Ms. No. 639 dated August 25, 2012.

3. Mr. K. Rajendra Chowdhary, learned senior counsel for the applicants invited our attention to page 14 of the applications wherein a comparative chart of seven institutions showing existing average fee and increase in fee as per G.O. Ms. No. 639 dated August 25, 2012 has been given. Learned senior counsel submitted that in respect of Vasavi College of Engineering, on existing average fee of Rs. 50,200/-, increase in fee of Rs. 48,500/- has been given on 22% increase in fee recommended by Admissions Fee Regulatory Committee (for short AFRC) in its report dated May 3, 2012 whereas in respect of Chaitanya Bharathi Institute of Technology (one of the applicants), on existing average fee of Rs. 50,200/-, increase in fee of Rs. 54,800/- has been given on 42% increase in fee recommended by AFRC in its report dated May 3 2012 and with regard to another applicant, Mahatma Gandhi Institute of Technology, on existing average fee of Rs. 50,200/-, increase in fee of Rs. 34,400/- has been given on 25% increase in fee recommended by AFRC in its report dated May 3, 2012.

4. Mr. K. Rajendra Chowdhary, learned senior counsel submits that the above comparison clearly indicates that the applicants' institutions have been discriminated and increase in fee has been given to different institutions irrationally and unfairly.

5. Confronted with the above, Mr. R. Venkataramani, learned senior counsel for the State of Andhra Pradesh and AFRC prays for some time for filing an affidavit in response to the applications and justify the increase made in G.O. Ms. No. 639 dated August 25, 2012.

6. An affidavit in response to these applications may be filed by the Government of Andhra Pradesh and AFRC within three weeks.

7. List IA Nos. 324-325 of 2012 along with Special Leave Petitions on October 18, 2012.

|(Pardeep Kumar)
|Court Master

|(S.S.R. Krishna)
|Court Master

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