

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).175/2013

(From the judgement and order dated 19/12/2012 in LPA No.1630/2012 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

WORLD INSTITUTE OF TECHNOLOGY GURGAON & ORS. Petitioner(s)

VERSUS

STATE BOARD OF TECHNICAL EDU.HRY&ORS. Respondent(s)

(With appln(s) for impleadment as petitioner and prayer for interim relief and office report)

WITH SLP(C) NO. 191 of 2013

(With prayer for interim relief and office report)

SLP(C) NO. 5263-5265 of 2013

(With prayer for interim relief and office report)

Date: 25/02/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. V.K. Bali, Sr. Adv.
 Mr. J.L. Gupta, Sr. Adv.
 Mr. A. Tewari, Adv.
 Mr. Akshat Goyal, Adv.
 Mr. Shree Pal Singh, Adv.

 Mr. Ashok K. Mahajan, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. P.D. Gupta, Adv.
Mr. Kamal Gupta, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s) Mr. Narender Hooda, Sr. AAG, Haryana
 Mr. Alok Sangwan, Adv.
 Mr. Devashish Bharuka, Adv.
 Mr. R.S. Kundu, Adv.

 Mr. B.S. Mor, Addl. AG, Haryana
 Mr. Neeraj Mor, Adv.
 Mr. Keshav Rai, Adv.
 Mr. R.C. Kaushik, Adv.

Mr. Amitesh Kumar, Adv.
Mr. Ravikant, Adv.
Mr. C.S. Singh, Adv.

Mr. Sandeep Bhatnagar, Adv.

Mr. N. Gupta, Adv.
Mr. Tarun Gupta, Adv.
Mr. M.K. Ghosh, Adv.

Mr. Ashok K. Mahajan, Adv.

UPON hearing counsel the Court made the following

O R D E R

Application for impleadment is allowed.

Heard learned counsel for the parties.

Petitioners-Institutions have been established after getting approval from the All India Council for Technical Education (AICTE) for conducting various courses including three years diploma course (second shift) and in some Institutions for additional subjects also.

We notice that the respective Universities have already granted them affiliation for conducting Under-Graduate and Post-Graduate Courses. Most of the Institutions are conducting Diploma Course (First Shift) for which necessary affiliation has already granted by the State Board of Technical Education, Haryana (for short, 'the Board'), but not for the Second Shift. Learned Sr. A.A.G. appearing for the Board submitted that even though AICTE had granted approval to all these Institutions, they have not satisfied all the norms prescribed by the Board for granting affiliation for the conduct of Diploma Course (Second Shift). By an interim order, we directed the Board to conduct an inspection of all the Institutions with regard to the deficiencies pointed out and submit a Report. The Report has been submitted and we have gone through the Report. We find that the deficiencies pointed out are not of a serious nature, so as to deny affiliation for the conduct of Diploma Course (Second Shift).

In such circumstances, we are inclined to give a direction to the Board to grant affiliation for the Diploma Courses (second shift) and additional subjects to the respective Institutions within a period of one week from today.

We, however, notice that without getting affiliation from the Board, the petitioners-Institutions had admitted large number of students, which they could not have as per rules. Most of the students have now completed more than five months' studies.

Considering the entire facts and circumstances of the case, we hold that those students shall be deemed to have been admitted regularly only after getting affiliation from the Board, which we have directed to grant within one week. On re-admission the students will have to make up the lost period of the course, so as to write the examination. No additional fees be demanded from the students for the said purpose. Ordered as above. This order is applicable to only those Institutions which have approached this Court in time.

The special leave petitions are, accordingly, disposed of.

| (NARENDRA PRASAD)

| COURT MASTER

| | (RENUKA SADANA)

| | COURT MASTER

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