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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 14677/2022

VIVEKANANDA INSTITUTE OF PROFESSIONAL
STUDIES- TECHNICAL CAMPUS

..... Petitioner

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

With

W.P.(C) 14678/2022, W.P.(C) 14679/2022, W.P.(C) 14680/2022

For Petitioners: Mr. Manoj Goel, Senior Advocate with Mr. Nishant Anand, Gunjan Bansal and Gyanendra Rathour., Advocates.

For Respondents: Mr. Santosh Kumar Tripathi, Standing Counsel (Civil), GNCTD with Mr. Arun Panwar, Mr. Pradeep, Mr. Pradyumn Rao and Ms. Mahak Rankawat, Advocates for R-1 & R-2.
Mr. Anuj Aggarwal, ASC, GNCTD, Ms. Ayushi Bansal, Mr. Sanyam Suri and Ms. Arshya Singh, Advocates for R-1 & R-2 in Items No. 76 & 77.
Ms. Anita Sahani, Advocate for R-3.
Mr. Khagesh B. Jha, Ms. Shikha Sharma Bagga and Ms. Aditi, Advocates for Impleader in Items No. 76 & 77.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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20.10.2022

CM APPL. 44986/2022 in W.P.(C) 14677/2022, CM APPL. 44988/2022 in, W.P.(C) 14678/2022, CM APPL. 44990/2022 in W.P.(C) 14679/2022, CM APPL. 44992/2022 in W.P.(C) 14680/2022 (seeking exemption from

filing the certified copies of the annexures with proper margin)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioners shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the applications stand disposed of.

CM APPL. 45791/2022 in W.P.(C) 14677/2022, CM APPL. 45794/2022 in W.P.(C) 14678/2022, CM APPL. 45789/2022 in W.P.(C) 14679/2022 and CM APPL. 45853/2022 in W.P.(C) 14680/2022 (for stay of the impugned circulars)

4. The Court has still not adjudicated the earlier interim applications filed by Petitioners [hereinafter “*affiliated Institutes*”], but declined to grant any *ad interim* relief as yet, the affiliated Institutes have filed the instant applications, *inter-alia*, seeking stay on operation of the following circulars [hereinafter collectively “*impugned circulars*”]: (a) circular dated 17th October, 2022,¹ and (b) circular dated 18th October, 2022,² both issued by Respondent No. 3 [Guru Gobind Singh Indraprastha University – hereinafter interchangeably “*GGSIPIU*” or “*the University*”].

5. Before proceeding to deal with the grievance of affiliated Institutes, it must be noted that in terms of the previous order, the said institutes have shared information with the University which as per Ms. Anita Sahani, counsel for GGSIPU, is under scrutiny and further time is needed to complete the same.

¹ F. No. IPU-7/ Online Counselling/2022/2905.

² F. No. IPU-7/Online Counselling/2022/2909.

6. Petitioners contend that their apprehension of counselling for Management Quota seats being controlled by the University gets pronounced by impugned circulars which calls upon them to submit a “Registration-cum-Enrolment fee for Management Quota Fee” and “Management Quota Counselling Fee for B.Tech programme for the Academic Session 2022-23”. Additionally, it is contended that *insofar* as Vivekananda Institute of Professional Studies [in W.P.(C) 14677/2022 – hereinafter “VIPS”] is concerned, it has received 250 applications for B.Tech course till date. Likewise, Maharaja Agrasen Institute of Technology [in W.P.(C) 14679/2022 – hereinafter “MAIT”] has received nearly 122 applications.

7. Mr. Santosh Kumar Tripathi, Standing Counsel for Respondent No. 1 and 2, reiterating his stand submits that the autonomy of the affiliated Institutes, is not being usurped by the University. Counselling for Management Quota seats will be done by such institutes itself. The impugned circulars are only in furtherance of earlier circular dated 22nd September, 2022 issued by Respondent No. 2 [Directorate of Higher Education GNCTD – hereinafter “GNCTD”].³ Ms. Sahani, on the other hand, states that the entire premise of affiliated Institutes is misconceived. She clarifies that for all admitted candidates, the University charges a payment of Rs. 20,000/- per candidate [See: Annexure P-5 of the petition – circular dated 01st September, 2022].⁴ She further clarifies “Management Quota Counselling Fee” of Rs. 10,000/- is adjustable against payment which

³ F. No. DHE.4(4)/GGSIPU/2019/4674-76.

⁴ F. No. GGSIPU/Incharge (Admissions)/MQ/2022/2687.

the University is entitled to receive (i.e., Rs. 20,000/-). Any candidate who does not get/ admitted against a seat, would be entitled to refund of the said amount.

8. In light of the afore-noted stand, the Court does not find any reason to stay the impugned circulars. Since applications for B.Tech. seats have been received by VIPS and MAIT, they can share the information/ particulars of such applications with the University which can be put on the portal of GGSIPU. Thereafter, as assured by Mr. Tripathi and Ms. Sahani, counselling for such seats shall be done by the affiliated Institutes.

9. Dismissed.

CM APPL. 45790/2022 in W.P.(C) 14677/2022, CM APPL. 45795/2022 in W.P.(C) 14678/2022, CM APPL. 45788/2022 in W.P.(C) 14679/2022 and CM APPL. 45852/2022 in W.P.(C) 14680/2022 (for amendment of the writ petition)

10. Issue notice. Counsel for Respondents, mentioned in the appearance above, accept notice.

11. Let reply, if any, be filed within a period of one week from today.

W.P.(C) 14677/2022, W.P.(C) 14678/2022, W.P.(C) 14679/2022, W.P.(C) 14680/2022

12. Re-notify on 18th November, 2022.

SANJEEV NARULA, J

OCTOBER 20, 2022

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