

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO.388 OF 2017

FOUNDATION FOR ORGANISATIONAL RESEARCH &
EDUCATION "FORE SCHOOL OF MANAGEMENT" PETITIONER(S)

VERSUS

ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION (AICTE) RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

The present writ petition raises the issue concerning the Post Graduate Diploma in Business Management-International Business (PGDM-IB) program. By means of letter dated 10.04.2017, the respondent sanctioned the petitioner to increase its intake in the PGDM-IB program by 60 students. Thus, the total seats available in the PGDM-IB program became 120 (60 seats were already sanctioned since 2007). The petitioner accordingly notified its intake capacity of 120 seats in the PGDM-IB course and on this basis started accepting fee and making admissions to the said course. By means of corrigendum letter dated 21.04.2017 the respondent withdrew the increased intake of 60 seats thereby reducing the capacity to 60 seats instead of 120 seats.

From the aforesaid it is clear that the respondents were satisfied with the fulfillment of requirements by the petitioner insofar as issue of increase of seats in the aforesaid program is concerned and it is after the said satisfaction that the number of seats were increased from 60 to 120.

The reason for issuing the corrigendum letter dated 21.04.2017 thereby withdrawing increase in intake was that there was no accreditation by the National Board of Accreditation. However, the fact remains that the petitioner institution has been duly accredited by the National Board of Accreditation. This accreditation elapsed and the petitioner had well within the time applied for renewal. Thereafter, it is the National Board of Accreditation which took some time in giving this renewal which has now been received on 18.05.2017. Therefore, in the aforesaid circumstances there is no reason why not to give the benefit of increase in seats more so when the petitioner institution has already admitted legitimate students against the said increase.

This writ petition is accordingly allowed; the corrigendum letter dated 21.04.2017 is set aside and the earlier letter dated 10.04.2017 by which increase in seats was granted is restored.

.....J.
[A.K.SIKRI]

.....J.
[DEEPAK GUPTA]

NEW DELHI,
MAY 30, 2017.

ITEM NO.5

COURT NO.4

SECTION X

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

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ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION (AICTE)

RESPONDENT(S)

Date : 30/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE DEEPAK GUPTA

[VACATION BENCH]

For Petitioner(s)

Mr.Jayant Bhushan, Sr.Adv.
Mr.M.Shoeb Alam, Adv.
Mr.R.K.Joshi, Adv.
Mr.Talha A. Rehman, Adv.
Mr.Saurabh Joshi, Adv.
Ms.Fauzia Shakil, Adv.
Mr.Ujjwal Singh, Adv.
Mr.Mojahid Karim Khan, Adv.

For Respondent(s)

Mr.Anil Soni, Adv.

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

The writ petition is allowed in terms of the signed order.

(Ashok Raj Singh)
Court Master

(Mala Kumari Sharma)
Court Master

(Signed Order is placed in the file)