

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 2269/2020

IN

CIVIL APPEAL NO.9048/2012

PARSHAVANATH CHARITABLE TRUST & ORS. PETITIONER(S)

VERSUS

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION  
& ORS. RESPONDENT(S)

O R D E R

The Association of the Management of unaided Private Institutions in Rural Areas has filed an application seeking a direction to Government of Maharashtra through its Commissioner, State Common Entrance Cell, Mumbai, Directorate of Technical Education to conduct third round of counselling and mop up round for admission to the Diploma, Degree of Post Graduate Technical courses for the academic year 2020-21. The Information Brochure issued by the Common Entrance Test Cell, Maharashtra for the academic year 2020-21 shows that

centralized admission process is conducted in two rounds. Unfilled seats shall be filled up by the private Institutions by making admission in a transparent manner and strictly according to *inter se* merit of the candidates from the list prepared by the Competent Authority.

Mr. Prashant R. Dahat, learned counsel for the applicants submitted that a large number of seats in B. Pharmacy are not filled up in the two rounds of counselling. If a mop up round is conducted for the unfilled vacancies, it would be in the interest of the students' community. He submitted prior to 2016, a mop up round was being held for counselling in respect of technical courses as well.

In view of the Brochure issued for the academic year 2020-21 providing for only two rounds of counselling under the centralized admission process, we cannot give a direction for mop up round to be held for admission to technical courses for the academic year 2020-21. However, we direct that the Director of Technical Education, Maharashtra to ensure the mandate of para 13 of the Information Brochure is strictly complied with and admissions in private Institutions made in a transparent manner and strictly in accordance with the *inter se* merit from the list prepared by the Competent Authority.

Miscellaneous Application as well as Interlocutory  
Application shall stand disposed of.

.....J  
(L.NAGESWARA RAO)

.....J  
(INDU MALHOTRA)

.....J  
(AJAY RASTOGI)

NEW DELHI;  
11<sup>th</sup> JANUARY, 2021

ITEM NO.25                      Court 8 (Video Conferencing)                      SECTION IX

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

Miscellaneous Application No. 2269/2020 in C.A.No.9048/2012

(Arising out of impugned final judgment and order dated 17-04-2014  
in C.A. No.9048/2012 passed by the Supreme Court Of India)

PARSHAVANATH CHARITABLE TRUST & ORS.                      Petitioner(s)

VERSUS

ALL INDIA COUNCIL FOR TECH.EDU & ORS.                      Respondent(s)

( IA No. 129023/2020 - APPLICATION FOR PERMISSION  
IA No. 129029/2020 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 129028/2020 - INTERVENTION/IMPLEADMENT)

Date : 11-01-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MS. JUSTICE INDU MALHOTRA  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)      Mr. Atul Babasaheb Dakh, AOR

For Respondent(s)/      Mr Anil Soni Adv.  
AICTE                      Mr. Harish Pandey, AOR

Mr. Navin Prakash, AOR

For Applicant(s)      Mr. Prashant R. Dahat, Adv.

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

Miscellaneous      Application      as      well      as  
Interlocutory Application shall stand disposed of in  
terms of the Signed Order.

(Geeta Ahuja)  
Court Master

(Beena Jolly)  
Court Master

(Signed Order is placed on the file)