

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.8840-8842 OF 2014

(Arising out of S.L.P.(Civil) No.4896-4898/2013)

All India Council for Technical .. Appellant(s)  
Education & Anr.

Versus

Bharatiya Gramin Punarrachana .. Respondent(s)  
Sanstha's

CIVIL APPEAL NO.8843/2014 @ SLP(C) No.33910/2012

CIVIL APPEAL NO.8845/2014 @SLP(C) No.33911/2012

CIVIL APPEAL NO.8846/2014 @SLP(C).25745/2014  
(CC No. 19865/2013)

O R D E R

Leave granted.

Heard Mr. Raju Ramachandran learned senior counsel for the appellant and Mr. R. Balasubramaniam learned senior counsel for the respondent.

In the course of hearing of this appeal, Mr. Ramachandran learned senior counsel raised the following contentions, namely, (i) the respondent institution had not provided barrier free access meant for handicapped persons but the High Court instead of addressing it in proper prospective has opining that it is curable; (ii) the issue whether the AICTE can be compelled to grant approval once it is rejected within a span of two years

has not been addressed to by the High Court and (iii) for no fault of AICTE, the High Court has imposed cost of Rs.1 lakh.

Having heard learned counsel for the parties, we direct that as far as the first issue is concerned, the AICTE would be at liberty to inspect the premises within a period of three months to find out whether there has been appropriate barrier free access. If it has still not been provided, the institution shall do the needful to the satisfaction of AICTE.

As far as the second contention raised by Mr. Ramachandran is concerned, the same need not be adverted to in this case because the institution by virtue of the order passed by the High Court, has already been given approval and it is presently functional. The issue of law in that regard is kept open.

As far as the proposition of costs is concerned, we are of the considered view that there was no justification to award cost and, accordingly, it is set aside.

The appeal is accordingly disposed of without any order as to costs.

CIVIL APPEAL NO.8843/2014 @ SLP(C) No. 33910/2012  
CIVIL APPEAL NO.8845/2014 @SLP(C) No. 33911/2012  
CIVIL APPEAL NO.8846/2014 @SLP(C).25745/2014  
(CC No. 19865/2013)

In view of the order passed in  
C.A.Nos.8840-8842/2014 arising out of SLP(C)  
Nos.4896-4898/2013, these appeals also stand disposed of  
with no order as to costs.

.. .....J.  
[ DIPAK MISRA ]

.....J.  
[ROHINTON FALI NARIMAN ]

NEW DELHI,  
September 09, 2014.

ITEM NO.1

COURT NO.8

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 4896-4898/2013

(Arising out of impugned final judgment and order dated 01/10/2012 in WP No. 4400/2011 and WP No. 5181/2012, and final order dated 29.10.12 in RP No. 308/2012 passed by the High Court Of Bombay At Aurangabad)

ALL INDIA COUNCIL FOR TECHNICAL EDU.& ANR Petitioner(s)  
VERSUS

BHARATIYA GRAMIN PUNARRACHANA SANSTHA'S Respondent(s)  
WITH

SLP(C) No. 33910/2012

(With appln.(s) for directions and appln.) for permission to file additional documents and Interim Relief and Office Report)

SLP(C) No. 33911/2012

(With Interim Relief and Office Report)

S.L.P.(C)...CC No. 19865/2013(With Office Report)

Date : 09/09/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Raju Ramachandran, Sr.Adv.  
Mr. Amitesh Kumar, Adv.  
Mr. Gopal Singh,Adv.

Mr. Shivaji M. Jadhav,Adv.

Mr. Venkita Subramoniam T. R.,Adv.

For Respondent(s) Mr. R. Balasubramaniam, Sr.Adv.  
Mr. Anish R. Shah, Adv.  
Mr. Shivaji M. Jadhav,Adv.

Mr. Shankar Chillarge, Addl.Govt.Adv.SOM

Mr. A.P. Mayee, Adv.

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

Leave granted.

The appeals are disposed of with no order as to costs.

(USHA BHARDWAJ)

AR-CUM-PS

Signed order is placed on the file.

(RENUKA SADANA)

(COURT MASTER)

