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Certified P. S. Copy of order dt. 19/12/05

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S. B. CIVIL WRIT PETITION NO. 7767/2005

**PETITIONER :**

Institute of Advanced Studies in Education,  
(Deemed University), Gandhi Vidya Mandir,  
Sardarshahar, Churu (Rajasthan)



*versus*

**RESPONDENTS :**

1. The Union of India  
through the Secretary,  
Ministry of Human Resources Development  
Shastri Bhawan, New Delhi
2. University Grants Commission  
Bahadur Shah Zafar Marg,  
New Delhi - 110001
3. Distance Education Council  
Indira Gandhi National Open University  
Maidan Garhi, New Delhi- 110068
4. The State of Rajasthan  
through the Secretary  
Department of Higher Education  
Secretariat, Jaipur



**S.B. CIVIL WRIT PETITION NO.7267/2005.**  
(I.A.S.E. (Deemed University) Vs U.O.I. & O's.)

Date of Order :: 19.12.2005.

**HON'BLE MR. JUSTICE DINESH MAHESHWARI**

Mr. Sangeet Lodha, for the petitioner.

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Learned counsel for the petitioner contends, inter alia, that so far 43 Study Centres referred to and objected against in the order Annexure-52 dated 16<sup>th</sup>/17<sup>th</sup> November, 2005 are concerned, six of those centres alleged to be having poor infrastructure namely, B.R. Ambedkar Polytechnic, Agra, Aligarh Law School, Aligarh, Abascus Computing, Dehradun, ICAI, Mohali, National Institute of Sc. & Tech., Vellore and Medical College of Alternative Medicenes, Mirzapur are functional and rest of them have already been discontinued by the petitioner. So far the list of non-existent study centres is concerned, the Centres at Item No.15 i.e. Maharaja Institute of Technology, Jaipur and Item No.22 i.e. Ram Gurukul Education Institute, Allahabad have changed their addresses and, therefore, they were taken as non-existent else they are very much existing and continuing with the courses

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Learned counsel has further referred to the order passed by the Jaipur Bench of this Court in S.B. Civil Writ Petition No.9516/2005 filed by one of its Study Centres namely, Asia Pacific Society for Training and Development wherein the Jaipur Bench of this Court has granted stay over operation of impugned order dated 16<sup>th</sup>/17<sup>th</sup> November, 2005 qua the said petitioner Study Centre, leaving it open to the University Grant Commission to inspect the premises of the petitioner institution and submits its report to the Court.



Having regard to the facts and circumstances of this case and the grounds raised in the writ petition, the matter requires consideration. Hence, Admit. Issue notice.

Issue notice of stay application also.

In the meanwhile and until further orders, the operation and effect of the impugned order dated 16<sup>th</sup>/17<sup>th</sup> November, 2005 (Annexure-52) shall remain stayed except qua the Study Centres objected against in the said order as having poor infrastructures or being non-existent, whose lists are available with Annexure-35 at Page 223 and 224 of the paper book. However, as interim measure, the petitioner may, at present, permit continuance of the aforesaid six study centres in the list of the centres having poor infrastructure; and the aforesaid two such centres in the list of non-existing study

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राष्ट्रीय प्रतिनिधित्व  
 20 JAN 2007  
 राजस्थानिक अधिकाारी न्यायिक  
 राजस्थान उच्च न्यायालय, जोधपुर

centres whose addresses have allegedly changed. In relation to these eight centres, it will be open to the University Grant Commission to inspect the premises and to prepare a comprehensive report.

Learned counsel for the petitioner shall submit process fees and notices in two sets within two days.



On filing, office to check and issue the notices immediately returnable on 11<sup>th</sup> January, 2006. One set be given 'Dasti' to the learned counsel for the petitioner for service on the respondents by registered post acknowledgment due.

  
(DINESH MAHESHWARI), J.

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