

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 12695 of 2016**

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AVANTIKA EDUCATION TRUST....Petitioner(s)

Versus

ADMISSION COMMITTEE FOR PROFESSIONAL COURSES &

2....Respondent(s)

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Appearance:

MR MITUL SHELAT WITH MS AVNI H PANDYA, ADVOCATE for the
Petitioner(s) No. 1

ADVANCE COPY SERVED TO GP/PP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE N.V.ANJARIA**Date : 28/07/2016****ORAL ORDER**

Heard learned advocate Mr.Mitul Shelat for
the petitioner. सत्यमेव जयते

2. Notice, returnable on 02nd August, 2016.

3. Learned advocate for the petitioner pressed
for interim relief by placing reliance on order dated
25th July, 2016 passed in Special Civil Application
No.11794 of 2016, in which facts were similar and
contentions raised were identical. He, on that basis,
submitted that approval by Pharmacy Council of India
cannot be treated as condition precedent, when the All
India Council for Technical Education has granted
approval to the petitioner and further that the
petitioner possesses affiliation with the Gujarat

Technological University. It was submitted on the basis of the approval by All India Council for Technical Education (AICTE), the petitioner is entitled to admit students and the impugned decision of placing the petitioner in no admission zone is manifestly erroneous in law. He took the Court through the facts of the present case and further submitted that the facts of this case is on a stronger footing than in the case in Special Civil Application No.11794 of 2016. The said petition came to be admitted and interim directions were given in favour of the said petitioner.

4. Therefore in view of order dated 25th July, 2016 passed in Special Civil Application No.11794 of 2016, as the said case as well as the present case are similar on facts, the petitioner deserves to be granted ad-interim relief. Accordingly, it is directed by way of ad-interim relief that the respondent- Admission Committee shall treat the petitioner institution within the zone for the purpose of granting admissions to the courses for the Academic Year 2016-17, with the clarification however that this ad-interim order is subject to the further orders which may be passed by this Court after hearing all the parties.

5. Direct service is permitted, today.

(N.V.ANJARIA, J.)

Anup