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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment Delivered on: 05.08.2025

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W.P.(C) 8751/2025, CM APPL. Nos. 37401/2025 and 37404/2025**ADITYA INSTITUTE OF TECHNOLOGY THROUGH ITS
FOUNDER-CUM-CHAIRMAN DEVENDRA GUPTAPetitioner****Through: Mr. Aseem Mehrotra and Ms.
Deeksha Mehrotra, Advs.**

versus

**GOVERNMENT OF NCT OF DELHI THROUGH ITS
CONTROLLERRespondent****Through: Mr. Dhruv Rohatgi, Mr. Dhruv
Kumar and Ms. Chandrika Sachdev,
Advs.
Mr. B.S Rawat, CI DTTE.****CORAM:****HON'BLE MR. JUSTICE VIKAS MAHAJAN****JUDGMENT**

1. The present petition has been filed assailing the impugned letter dated 06.05.2025 whereby petitioner's application for affiliation submitted on 30.04.2025 has been rejected on the ground that the application was not submitted within time as per schedule laid down.
2. The case set out by petitioner in the present petition is that petitioner is imparting technical education uninterruptedly since 1995-96 by offering four diploma courses namely, Diploma Course in Electronics and Communication Engineering; Computer Engineering; Medical Lab Technology and Diploma in IT Enabled Services and Management, with



approval of AICTE and affiliation from respondent, from a rented building which is permissible as per AICTE Approval Process Handbook.

3. The respondent, in respect of academic session 2023-24, *vide* its letter dated 21.07.2023, kept petitioner in No Admission Category. The said decision of respondent was challenged by petitioner by filing W.P.(C) 10009/2023 and this Court *vide* order dated 02.08.2023 had stayed the order dated 21.07.2023 and petitioner was permitted to make admissions.

4. In respect of academic session 2024-25, petitioner was issued provisional affiliation by respondent on 29.07.2024, but the same was withdrawn on 14.08.2024. The said decision of 14.08.2024 was again challenged by petitioner by filing W.P.(C) 11476/2024, and the same was also stayed by this Court *vide* order dated 16.10.2024, but petitioner could not make admission as the counselling process was over.

5. In respect of present academic session 2025-26, which is the subject matter of present petition, petitioner had written to respondent *vide* its letter dated 24.01.2025 requesting to review its decision and soliciting advice on affiliation. However, no action was taken on the said letter.

6. On the other hand, AICTE issued extension of approval for academic session 2025-26 with 'Nil Deficiency' report. Despite such nil deficiency, petitioner's request for affiliation was not considered, rather respondent *vide* impugned letter dated 06.05.2025 has returned petitioner's application seeking affiliation, on the ground that such application was not submitted within time as per schedule laid down.

7. Mr. Aseem Mehrotra, learned counsel appearing on behalf of petitioner submits that time schedule as laid down by respondent in its Standard Proforma for Affiliation/Extension for Academic Session 2025-26,



is not mandatory and the same has not been adhered to by the respondent itself.

8. Elaborating on his submission, Mr. Mehrotra has referred to Clause 7 of said Standard Proforma, to contend that the schedule which has been mentioned in the said clause uses the expression '*Tentative Schedule for Affiliation Process*'. He submits that respondent has been issuing proforma for granting affiliation with the schedule mentioned therein every year, and Clause 7 of such proformas has also used same caption i.e. '*Tentative Schedule for Affiliation Process*'.

9. Bringing attention of the Court to tabular matrix depicting actual timeline for the academic sessions 2024-25 and 2025-26, which has been annexed as Annexure R-1 to the counter-affidavit of the respondent, Mr. Mehrotra submits that the respondent has always delayed all actions/decisions for a one month and more.

10. He submits that since respondent itself has not adhered to schedule in terms of the decision of Hon'ble Supreme Court in ***Parshavanath Charitable Trust & Ors. v. All India Council for Technical Education & Ors., (2013) 3 SCC 385***, therefore, return of petitioner's application for affiliation by respondent on the ground that it was not submitted within time as per the provided schedule, is unjustified.

11. He submits that AICTE has been continuously granting Extension of Approval (EoA) for Academic Sessions 2022-23; 2023-24; 2024-25 as well as for Academic Session 2025-26, yet petitioner has been kept in 'No Admission Category'.

12. He submits that for academic Session 2023-24, petitioner was kept in No Admission Category, however, the said order was stayed by this Court



on 02.08.2023 passed in W.P.(C) 10009/2023.

13. Likewise, in respect of Academic Session 2024-25, petitioner was issued provisional affiliation by respondent on 29.07.2024, but the same was withdrawn on 14.08.2024. The said order of withdrawal dated 14.08.2024 was also stayed *vide* order dated 16.10.2024 passed by this Court in W.P.(C) 11476/2024.

14. He contends that reason for keeping petitioner in No Admission Category was primarily on the ground that it does not have Fire Safety Certificate from Delhi Fire Service and that petitioner is running its institute from basement, which stand of respondent is belied by the letter dated 18.01.2024 issued Director, Delhi Fire Service since it clearly states that no Fire Safety Certificate is required from petitioner, and it is not running from basement. To buttress his contention, he has brought the attention of the Court to said letter dated 18.01.2024.

15. Likewise, attention of Court is drawn to yet another letter dated 01.11.2024 issued by Director, Delhi Fire Service to the respondent reiterating that Fire Safety Certificate is not required by petitioner.

16. Mr. Mehrotra also contends that petitioner has always acted with promptitude. Elaborating on his submission, he submits that after order dated 16.10.2024 was passed by this Court in W.P.(C) 11476/2024 in which petitioner had assailed the order of respondent withdrawing provisional affiliation and further since there was no direction for admission of students, petitioner had approached the Hon'ble Supreme Court for admission, and the Hon'ble Supreme Court *vide* order dated 25.10.2024 in M.A.No. 48405/2025 and 48409/2024 in C.A. No.9048/2012 clarified that it would consider the case of petitioner for next academic session i.e. 2025-26,



though on 22.04.2025, the Hon'ble Supreme Court dismissed the M.A.

17. He submits that petitioner had been approaching respondent for resolution of issue regarding repeated withdrawal of affiliation in light of letter from Delhi Fire Service, as well as, for affiliation for Academic Session 2025-26 since January 2025 but there was no response from respondent. Again, petitioner requested respondent to consider petitioner's application for affiliation through an email dated 28.03.2025, which was not acceded to and impugned letter dated 06.05.2025 came to be passed.

18. He submits that petitioner is an ongoing institute with same infrastructure and the premise on which the affiliation was denied by respondent for the previous academic year *viz.* petitioner does not have NOC from Delhi Fire Service, no more exists in view of the letters from Director, Delhi Fire Service, therefore, there is no impediment in granting affiliation to petitioner by respondent.

19. *Per contra*, Mr. Dhruv Rohatgi, learned counsel appearing on behalf of respondent at the outset, submits that refusal and withdrawal of affiliation for previous Academic Session 2023-24 and 2024-25, are subject matter of W.P.(C) 10009/2023 and W.P.(C) 11476/2024, respectively, therefore, grant of NOC from Delhi Fire Service, etc. has no relevance in the present case, wherein the controversy involved is with regard to non-entertaining of application of petitioner for Academic Session 2025-26 on the ground that same was not submitted within time as per the prescribed schedule.

20. He submits that respondent had duly published the application form for academic session 2025-26, through Common Online Portal (COP) as early as on 13.02.2025 and the last date for applying for grant of affiliation through prescribed mode was 28.02.2025.



21. He submits that it is the case of petitioner itself that it submitted application for affiliation on 30.04.2025. He submits that respondent has adhered to closing date as per the schedule, and no application has been accepted/received for affiliation after the closing date i.e. 28.02.2025 nor the said date was extended.

22. He submits that timelines indicated in the schedule for Scrutiny Committee and Inspection Committee to conclude the work entrusted to them are only tentative and may get delayed, though the respondent's endeavour is to adhere to the same. He submits that such dates are tentative for the reason that respondent grants opportunity to applicant institutes to rectify deficiencies noted in physical inspection before finally deciding on their application.

23. He submits that non-adherence to timelines of subsequent steps does not vest petitioner with any right to apply for affiliation on any day of its choice, after closing date for making an application as per the schedule, is over.

24. He submits that reliance placed by petitioner on the Hon'ble Supreme Court's order dated 25.10.2024 is wholly misplaced as the order merely states that application of petitioner shall be considered for the next Academic Session which is 2025-26, however, the same does not grant liberty to petitioner to apply for affiliation even after the date of closure for application. He submits that affiliation for Academic Session 2025-26 has already been granted to institutes who had applied within the prescribed timeline.

25. He contends that allowing present petitioner to apply for affiliation after the due date has expired and that too offline, which is not the



prescribed mode, would cause prejudice to other institutes, who are similarly situated as petitioner.

26. Having heard rival contentions of learned counsel for parties, a limited question which arises for consideration is whether petitioner's application for affiliation could be entertained even after the closing date of submission for the same.

27. It is not in dispute that respondent had duly published the Standard Proforma for Affiliation/Extension for Academic Session 2025-26 on its official website as early as on 13.02.2025, wherein it was stipulated that 28.02.2025 is the last date for submission of duly filled proposals along with requisite documents and affiliation fee. Clause 7 of the said Standard Proforma reads thus:

7. Tentative Schedule for affiliation process is as under:

<i>S. No.</i>	<i>Activity to be Performed</i>	<i>Schedule for Activity</i>
1.	<i>Submission of application Form by the institutes</i>	<i>Up to 28th February 2025</i>
2.	<i>Scrutiny of application Forms by Scrutiny Committee</i>	<i>Up to 10th March 2025</i>
3.	<i>Inspection of the Institute by Inspection Committee</i>	<i>From 11th March 2025 to 17th March 2025</i>
4.	<i>Communication of discrepancy of Scrutiny & Inspection to the Institutes</i>	<i>Up to 21st March 2025</i>
5.	<i>Removal of discrepancy by the institute</i>	<i>Up to 21st March 2025</i>
6.	<i>Meeting of Scrutiny Committee for final recommendation</i>	<i>28th March 2025</i>
7.	<i>SLC meeting</i>	<i>After getting approval of AICTE/CoA/PCI whichever applicable to Institutes</i>



28. Clearly, the last date for submission of application form by petitioner institute for grant of affiliation was 28.02.2025.

29. The argument advanced on behalf of petitioner is that caption of Clause 7 suggests that the schedule given in the said Clause is tentative and further the same was not strictly adhered to by the respondent.

30. On the other hand, the explanation put forth by respondent in its counter-affidavit is that last date of filing application form has been strictly adhered to and no application has been accepted by respondent after the said last date i.e. 28.02.2025. Insofar as non-adherence to strict timelines prescribed for Scrutiny Committee and Inspection Committee are concerned, a justification has been given that the same are only tentative and may get delayed for the reason that respondent grants opportunity to institutes to rectify deficiencies noted in the physical inspection before finally deciding on their application.

31. At this stage, it may be apposite to extract relevant paragraphs of counter-affidavit wherefrom the stand taken by respondent is clearly borne out:

“12. It is further submitted that the Petitioner's contention with respect to the time schedule uploaded by the Respondent being tentative and that the Respondent has not adhered to the time schedule for last 12 years is nothing but an attempt to wriggle out of its mistake in not filing the application in time and missing out the deadline which was 28.02.2025.

13. It is further submitted that the Petitioner is very well aware about the time lines for filing the Application form and is also aware of the fact that these timelines are meant to be strictly adhered. It is further submitted that the Respondent has adhered to the timelines provided for the academic year 2024-2025 and 2025-26. The Petitioner by asserting that it is not aware about whether the time lines have been adhered by the Respondent is



trying to mislead this Hon'ble Court and intervene in the administrative procedures of the Respondent. The copy of the actual tabular matrix depicting the time line for the academic sessions 2024-2025 and 2025-2026 as followed by the Respondent are annexed herewith as Annexure R-1 (Colly).

14. It is further submitted that the last date for filing the Application form through the common online portal for the academic year 2024 25 was 20th February 2024 and the Respondent has adhered to the same and no Application was accepted after the said date. Similarly, for the academic year 2025-26, the last date to apply was 28th February 2025, and no Application has been submitted after the said date.

15. That the Answering Respondent had duly published the Standard Performa for Affiliation/Extension for the Academic Session 2025-26 on its official website as early as on 13.02.2025, wherein it was clearly stipulated that 28.02.2025 is the last date for submission of duly filled proposals, along with requisite documents and affiliation fee. That further, it was also communicated to all institutes including the Petitioner herein, via the official WhatsApp group maintained by the Answering Respondent about the stipulated timeline. The copy of the Standard Performa is annexed herewith as Annexure R-2. The copy of the details of the WhatsApp group wherein the information regarding the Affiliation for Academic Session 2025-26 was duly communicated to all the institutes including the Petitioner herein is annexed herewith as Annexure R-3."

(emphasis supplied)

32. Though non-adherence to timelines for various activities to be performed by respondent cannot be countenanced, the fact remains that the timeline prescribed for submission of application form has been strictly adhered to, as is borne out from counter-affidavit filed by respondent. The respondent has taken a categorical stand that the last date for accepting application forms for grant of affiliation was 28.02.2025 and the same was not extended nor any application has been accepted after the said date.



33. Also, it is not the case of petitioner that respondent has breached the timeline insofar as the submission of application form for affiliation is concerned nor it is alleged by the petitioner that respondent has accepted application of any other institution beyond the closing date of 28.02.2025.

34. The Hon'ble Supreme Court as well as this Court, have time and again emphasised the importance and need to adhere to the schedule. In *Maa Vaishno Devi Mahila Mahavidyalaya v. State of U.P. & Ors., (2013) 2 SCC 617*, the Hon'ble Supreme Court observed that purpose of providing time schedule is to ensure that all authorities concerned act within the stipulated time. Such time schedule on one hand places an obligation upon the authorities to act according to schedule, and also provides complete clarity to other stakeholders as to when their application would either be accepted and/or rejected and what will be the time duration for it to be processed at different quarters. Likewise, it also gives a clear understanding to the students for whose benefit the entire process is set up. The relevant excerpts from the said decision read thus:

“81. Lastly, the question which is required to be discussed in the light of the facts of the present cases is adherence to the schedule. Once the relevant schedules have been prescribed under the Regulations or under the Judge-made law, none, whosoever it be, is entitled to carve out exceptions to the prescribed schedule. Adherence to the schedule is the essence of granting admission in a fair and transparent manner as well as to maintain the standards of education. The purpose of providing a time schedule is to ensure that all authorities concerned act within the stipulated time. Where, on the one hand, it places an obligation upon the authorities to act according to the schedule, there it also provides complete clarity to other stakeholders as to when their application would either be accepted and/or rejected and what will be the time duration for it to be processed at different quarters. It also gives clear understanding



to the students for whose benefit the entire process is set up as to when their examinations would be held, when results would be declared and when they are expected to take admission to different colleges in order of merit obtained by them in the entrance examinations or other processes for the purposes of subject and college preference.

82. We are constrained to reiterate with emphasis at our command that the prescribed schedules under the Regulations and the judgments must be strictly adhered to without exceptions. None in the hierarchy of the State Government, university, NCTE or any other authority or body involved in this process can breach the schedule for any direct or indirect reason. Anybody who is found to be defaulting in this behalf is bound to render himself or herself liable for initiation of proceedings under the provisions of the Contempt of Courts Act, 1971 as well as for a disciplinary action in accordance with the orders of the Court. In *Parshavanath Charitable Trust v. All India Council for Technical Education* [(2013) 3 SCC 385], decided on the same date, this Court held as under: (SCC para 26)

*“26. ... Time schedule is one such condition specifically prescribed for admission to the colleges. **Adherence to admission schedule is again a subject which requires strict conformity by all concerned, without exception.** Reference in this regard can be made to *Rajan Purohit v. Rajasthan University of Health Sciences* [(2012) 10 SCC 770] at this stage, in addition to *Medical Council of India v. Madhu Singh* [(2002) 7 SCC 258].”*

(emphasis supplied)

35. Likewise, in *Parshavanath* (supra), the Hon’ble Supreme Court had emphasized that non-adherence to timelines can result in serious consequences that can jeopardise not only the interests of college students but also the maintenance of proper standards of technical education. It was further observed that authorities concerned should ensure proper and timely action upon the applications submitted to it. It must respond to the applicant within a reasonable time period and should not let the matter drag till the



final date giving rise to avoidable speculations by all stakeholders.

36. Similarly, a Coordinate Bench of this Court in *Institute of International Excellence v. AICTE, 2015 SCC OnLine Del 10478* and another connected petition had rejected the contention for extending timeline for granting approval. In the said case, the petitioners had applied to AICTE within the prescribed time for approval of Diploma Course in Pharmacy but the applications of petitioners were rejected by the Scrutiny Committee. The Standing Appellate Committee (SAC) of AICTE subsequently ordered the petitioners to be visited by the Expert Visiting Committee, which upon visiting pointed out deficiencies in the institutions of each of the petitioners. Thereafter, the SAC of AICTE rejected the application of each of the petitioners. The petitioners therein had filed separate writ petitions and by an order of this Court matter was remanded to the SAC of AICTE. On remand, the SAC of AICTE held that though all the deficiencies pointed out have been cured, but since last date stipulated for granting approval was over, permission cannot be granted for the relevant academic year.

37. In this factual backdrop, separate writ petitions again came to be filed by the petitioners. This Court relying upon the decision in *Maa Vaishno Devi* (supra) and *Parshavanath* (supra), held that the Courts need to maintain a discipline and only if they find a gross wrong having been committed by the authority in rejecting the application for approval, should they intervene even after the last date for grant of approval has passed. Accordingly, the Court dismissed the petitions observing that granting approval to the petitioners at a belated stage would upset the entire admission process already underway, especially when the petitioners have failed to establish that the denial of approval on the stipulated date was



wrongful.

38. Now coming back to the facts of present case, indubitably the last date for making application for affiliation was 28.02.2025 and the same was strictly adhered to, and never varied by the petitioner. Even in the counter-affidavit, it has been stated by the respondent in no uncertain terms that no applications have been accepted after the said date. The petitioner has also not put forth any cogent reason for not having made an application before the closing date, nor it is a case of any gross wrong having been committed by the respondent in rejecting petitioner's application for affiliation.

39. Reliance placed by Mr. Mehrotra on the order of Hon'ble Supreme Court dated 25.10.2024, to contend that the Hon'ble Supreme Court had directed that application of petitioner shall be considered for the next Academic Session which is 2025-26, is misplaced. The said order does not grant any liberty to petitioner to apply for affiliation even after the closing date for submission of application. Even otherwise, the order dated 25.10.2024 of Hon'ble Supreme Court is much prior to the closing date i.e. 28.02.2025, therefore, the liberty granted therein cannot be used as an excuse for not making an application for affiliation within the stipulated timeline.

40. The petitioner is admittedly an old institute which was established in the year 1995-96, therefore, it cannot feign ignorance as to the notifications being updated by respondent on its web portal.

41. Thus, the petitioner has not made out any case for carving out an exception and consequently allowing it to make an application for affiliation at this belated stage. Further, if respondent is directed to accept and process the application of petitioner at this stage, it would be unfair and prejudicial



to other institutions who could not apply within the stipulated timeline.

42. The law enunciated by the Hon'ble Supreme Court as well as Coordinate Bench of this Court, as noted above, have underlined that the timelines prescribed by the authorities are sacrosanct and have to be adhered to, for infusing an element of certainty and timeliness to the entire process of grant of approval, affiliation and consequent admissions.

43. It was also argued by Mr. Mehrotra that except for the timeline for making application, other timelines have not been adhered to by respondent, suffice it to observe that such non-adherence shall not clothe petitioner with any vested right to make an application for affiliation beyond the closing date when undisputedly the closing date for making application has been strictly followed and adhered to by the respondent.

44. On an overall conspectus, this Court is of the considered view that present petition is devoid of merit. Accordingly, the petition alongwith pending applications, is dismissed.

VIKAS MAHAJAN, J

AUGUST 08, 2025

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