



2025:DHC:6984-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ LPA 517/2025, CM APPL. 49707/2025 & CM APPL. 49708/2025

ADITYA INSTITUTE OF TECHNOLOGY THROUGH ITS  
FOUNDER-CUM-CHAIRMAN DEVENDRA GUPTA .....Appellant

Through: Mr. Aseem Mehrotra and Ms. Deeksha  
Mehrotra, Advocates

versus

GOVERNMENT OF NCT OF DELHI .....Respondent

Through: Mr. Dhruv Rohatgi, Advocate.

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**Date of Decision: 13.08.2025**

**CORAM:**  
**HON'BLE THE CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

### **J U D G E M E N T**

#### **TUSHAR RAO GEDELA, J: (ORAL)**

1. Present letters patent appeal has been filed assailing the judgment dated 05.08.2025 (hereinafter referred to as '*Impugned Judgment*') passed by the learned Single Judge whereby the underlying writ petition bearing W.P.(C) No.8751 /2025 titled '*Aditya Institute of Technology through its founder-cum-chairman Devendra Gupta vs. Government of NCT of Delhi through its Controller*' was dismissed thereby upholding that the application for affiliation submitted by the appellant on 30.04.2025 was submitted belatedly.
2. It is the case of the appellant that it has been imparting Technical Education since 1995-96, running Diploma Courses in Electronics and Communication Engineering; Diploma in Computer Engineering; Diploma in



2025:DHC:6984-DB



Medical Lab Technology and Diploma in Pharmacy, with the prior approval of the All India Council for Technical Education (hereinafter referred to as '*AICTE*') till date.

3. It is the case of the appellant that for the academic session 2023-24, the respondent *vide* its letter dated 21.07.2023 had placed the appellant under "No Admission Category", which was the subject matter of challenge before this Court in W.P.(C) No.10009/2023. However, *vide* order dated 02.08.2023, this Court had stayed the letter dated 21.07.2023 issued by the respondent, thereby granting permission to the appellant to make admissions.

4. It is also the case of the appellant that in respect of academic session 2024-25, the appellant was issued provisional affiliation by the respondent on 29.07.2024, however, the same was withdrawn on 14.08.2024 without any reason. Aggrieved by the said decision of the respondent, the appellant preferred W.P.(C) No.11476/2024 before this Court. *Vide* order dated 16.10.2024, this Court stayed the said decision of the respondent, however, the appellant could not make admissions as the counseling process for the academic session 2024-25 was over.

5. It is the case of the appellant that regarding academic session 2025-26, the appellant had written to the respondent requesting a review of its decision on affiliation, but no action was taken by the respondent on that request. It is also the case of the appellant that despite the approval by the AICTE for academic session 2025-26, the request of the appellant was not considered, rather, *vide* the letter dated 06.05.2025, the respondent had returned the application of the appellant seeking affiliation on the ground that such application was submitted beyond the prescribed time as per schedule laid down. The said decision was the subject matter of challenge in the underlying



2025:DHC:6984-DB



writ petition, however, the said decision of the respondent was upheld by this Court. Aggrieved by the said decision of the learned Single Judge dated 05.08.2025, the appellant has preferred the present appeal.

6. Mr. Mehrotra, learned counsel appearing for the appellant at the outset submits that the learned Single Judge had committed an error by not considering the time schedule drawn up by the Hon'ble Supreme Court in ***Parshavanath Charitable Trust and Ors. vs. All India Council for Technical Education & Ors; (2013) 3 SCC 385***. He submits that despite the fact that the appellant had made a number of representations to the respondent in respect of grant of approval for the academic session 2024-25 w.e.f. 24.01.2025, there was no response from the respondent in that regard. Inviting attention to the said representation learned counsel also submits that the appellant further solicited an advice in respect of as to how the modalities for seeking approval for the academic session 2025-26 is to be complied with, yet, the respondent never responded to the same. He also submits that though the respondent had issued the schedule for affiliation process for the academic session 2025-26 on 13.02.2025, however, clause 7 of the said letter gave only a tentative schedule and not the final schedule. Thus, being under the impression that the schedule is tentative and yet to be finalized, the appellant filed its application seeking approval on 30.04.2025.

7. Additionally, learned counsel submits that while the litigation in respect of affiliation for the academic session 2024-25 was pending before this Court, the appellant had approached the Hon'ble Supreme Court which had, *vide* order dated 25.10.2024, observed that it would not consider the case of the appellant for the academic session 2024-25, but consider the case of the appellant for the next academic session i.e. 2025-26. He also submits that



2025:DHC:6984-DB



finally the Hon'ble Supreme Court did not entertain the miscellaneous application which was dismissed. According to the learned counsel it was only after the dismissal of the said miscellaneous application by the Hon'ble Supreme Court, that the appellant has approached the respondent for affiliation for the academic session 2025-26 on 30.04.2025. He submits that since the appellant has all the necessary requisites for grant of affiliation for the academic session 2025-26, there is no impediment to the respondent to grant such approval. He also submits that rejection of the application seeking approval was erroneously rejected not only by the respondent but also by the learned Single Judge. He prays that the impugned judgment may be set aside and the respondent directed to consider the application seeking affiliation for the academic session 2025-26.

8. Having heard Mr. Mehrotra, learned counsel for the appellant and after examining the impugned judgment as also the facts on record coupled with the law as laid down by the Hon'ble Supreme Court, we are of the opinion that the appeal is unmerited.

9. Though, learned counsel has argued on the basis of factual matrix and the disputes arising *inter se* the parties from the year 2022 regarding affiliation and the rounds of litigation undertaken by the appellant, however, the only issue to be considered by this Court is as to whether the submission of the form seeking affiliation for the academic session 2025-26 ostensibly submitted on 30.04.2025, is within the schedule as brought out by the respondent and the timelines prescribed by the Hon'ble Supreme Court in various judgments including *Parshavanath (supra)*.

10. The tentative schedule drawn up by the respondent *vide* the Standard Proforma for Affiliation/Extension for academic session 2025-26 notified on



2025:DHC:6984-DB



its official website on 13.02.2025 had clearly and unequivocally specified 28.02.2025 as the last date of submission of application form by the institutes including the appellant. Undoubtedly, the appellant had submitted its application on 30.04.2025. We find from a scrutiny of the tentative schedule as referred to above, that the meeting of the scrutiny committee for final recommendation was scheduled on 28.03.2025. Having regard to the fact that the final recommendations were to be processed on 28.03.2025, we do not see as to how the appellant can argue that its application filed on 30.04.2025 be treated to have been filed within the prescribed time. In order to clearly appreciate the aforesaid issue, it would be appropriate to reproduce hereunder the tentative schedule as fixed by the respondent. The same reads thus:-

**7. Tentative Schedule for affiliation process is as under:**

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

11. We find from a perusal of the impugned judgment that the learned



2025:DHC:6984-DB



Single Judge had referred to and relied upon the judgment of the Supreme Court in *Maa Vaishno Devi Mahila Mahavidyalaya vs. State of U.P. & Ors.; (2013) 2 SCC 617* and *Parshavanath (supra)* to observe that non-adherence to timelines may result in serious consequences that might jeopardise not only the interest of college students but also the maintenance of proper standards of technical education. Bearing in mind the law enunciated by the Hon'ble Supreme Court in the authoritative pronouncements, learned Single Judge held that the application of the appellant having been filed beyond the time schedule prescribed by the respondent, basis the importance of such time schedule by the law enunciated by the Hon'ble Supreme Court, the underlying writ petition has been dismissed.

12. On a query by this Court, Mr. Mehrotra learned counsel for the appellant has been unable to explain as to how an application submitted on 30.04.2025 be deemed to have been submitted within the prescribed time, and submits that the schedule was tentative and not final. We are unable to appreciate the said submission. The appellant institute claims to have been in existence since the year 1995-96 and obviously has been seeking affiliation for the purposes of recurring academic sessions every year. The appellant, therefore, cannot feign ignorance of the timelines prescribed not only by the institutes but the declaration of law by the Hon'ble Supreme Court by various judgments including those referred to above. In such a situation, it is unfathomable as to how an institute, not having submitted its application for affiliation within the time prescribed by the respondent, can even maintain a grievance which has been articulated in the underlying writ petition. Even otherwise, it is not disputed that the appellant was in the know of the tentative schedule. Having regard thereto, we are unable to find any merit in the said



2025:DHC:6984-DB



submission and the same is rejected.

13. In view of the above, we do not find any merits in the appeal. The same is dismissed with pending applications, if any, however without any order as to costs.

**TUSHAR RAO GEDELA, J**

**DEVENDRA KUMAR UPADHYAYA, CJ**

**AUGUST 13, 2025/rl**