

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Contempt Petition No.1601 of 2016
and
Sub-Application (OS) .No.259 of 2016

Bharath Post Graduate College
 (A unit of SPE Trust),
 rep. by its Director Mr.P.C.Bhaskar,
 No.8, Karpagambal Nagar,
 Mylapore, Chennai-600 004.

... Petitioner

Vs.,

1.Prof.P.S.Naik,
 The Registrar,
 Karnataka State Open University,
 Manasagangothri, Mysore-570 006.

2.Dr.Khadar Pasha,
 Registrar (in-charge),
 Karnataka State Open University,
 Manasagangothri, Mysore-570 006.

... Respondents

(R2 impleaded as per order dated 16.09.2016 in Sub.A.No.49
 of 2016)

Prayer: Contempt Petition has been filed under Section 11 of
 the Contempt of Courts Act, 1971, to punish the respondents
 for disobeying the orders of this Court dated 15.03.2016 and
 11.04.2016 made in W.M.P.No.8617 of 2016 in W.P.No.9581 of
 2016.

For Petitioner : Mr.Jayesh B.Dolia
 For Respondents : Mr.Rajendra Kumar Sungay

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ORDER

This Court, by an interim order dated 15.03.2016, directed the respondents to permit the existing students of the petitioner-College to write the semester/yearly examination for various courses for the academic year 2015-2016 (First Cycle) schedule to be held from 23.04.2016 or any other subsequent dates. Since the said order has not been complied with, now the present contempt petition has been filed by the petitioner.

2. Today, when the matter is taken up for consideration, the learned counsel for the respondents made the following suggestions_

(i) petitioner shall furnish the panel of Board of Studies

(ii) Petitioner shall obtain approval of Board of Examiners after conducting BOS.

(iii) Balance amount of 5% towards Admission Fee to be deposited immediately.

(iv) Time table would be announced (not in KSOU website)

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(v) Examination would be conducted after 15th November, 2016 within the State of Karnataka.

**** (vi) AICTE approval to be furnished as per Clause 30 of MOU by the petitioner, if it is required.**

3. The learned counsel for the petitioner agreed for the above said suggestions, except suggestion No. (vi) i.e., AICTE approval to be furnished as per Clause 30 of MOU by the petitioner. The learned counsel for the petitioner submitted that the petitioner-college will produce AICTE approval at a later point of time and that till the petitioner-College produces the AICTE approval, the respondents can withhold the results of the examination. The learned counsel for the respondents has also agreed for the same.

4. The above suggestions and submissions made on either side are recorded. In view of the above suggestions and submissions made on either side, **the contempt petition is ordered to be closed.** Connected Sub-application is also closed. However, the petitioner is at liberty to reopen

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contempt petition, if there is any need for the same in future.

Ssv

Sd/-
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the 25th day of oct 2016.

J. M. S.
COURT OFFICER(O.S.)

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(**amended as per order dated 28/09/2016 made in Cont.P.No.1601/2016)

SS/CO/23/09/2016