

**IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD**

DATED THIS THE 28TH DAY OF SEPTEMBER 2012

BEFORE

THE HON'BLE MR.JUSTICE H.G.RAMESH

Writ Petition No.66940/2012 (EDN-AD)

BETWEEN:

SAMPATHKUMAR S/O SHARANAPPA KATAGI
AGE: 18 YEARS, DIPLOMA STUDENT
R/O.CVC RURAL POLYTECHNIC COLLEGE
HUNGUND, TQ: HUNGUND
DIST: BAGALKOT

...PETITIONER

(BY SRI. SHIVAKUMAR S BADAADAGI, ADVOCATE)

A N D :

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF HIGHER EDUCATION
VIDHAN SOUDHA, BANGALORE-1
2. THE DIRECTOR OF TECHNICAL
EDUCATION, DEPARTMENT OF TECHNICAL
EDUCATION, PALACE ROAD
BANGALORE-1
3. THE PRINCIPAL, VMV, PALYTECHNIC
COLLEGE HUNGUND, TQ: HUNGUND
DIST: BAGALKOT

...RESPONDENTS

(BY SMT K VIDYAVATHI, AGA FOR R.1 & R.2
NOTICE ISSUED TO R.3 AND SERVICE IS AWAITED)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE
NOTIFICATION DATED 24.07.2012 IN NO.DTE 22 ACM (2) 2012-

13 ISSUED BY THE 2ND RESPONDENT VIDE ANNEXURE-A AND ETC.,

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

H.G.RAMESH, J. (Oral):

Learned Additional Government Advocate, on instructions, submits that the Government Order dtd. 23.07.2012 is withdrawn and consequently the impugned Circular dtd. 24.07.2012 is also withdrawn and a fresh Government Order dtd. 17.09.2012 is issued, fixing modified norms for admissions to third & fifth semester of Diploma courses. As the impugned circular has been withdrawn, the Writ Petition has become infructuous. The Writ Petition is accordingly dismissed as having become infructuous with liberty to the petitioner to challenge the aforesaid Government Order dtd. 17.09.2012 in accordance with law.

Learned counsel appearing for the petitioner seeks leave to withdraw I.A.No.2/2012 with liberty to the petitioner to challenge the circular dated 17.09.2012 (Annexure-G) in accordance with law. Leave granted. I.A.No.2/2012 is accordingly dismissed as withdrawn.

Petition dismissed.

**SD/-
JUDGE**

Kms