IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 3034 OF 2026

IN

CIVIL APPEAL NO. 9048 OF 2012

PARSHAVANATH CHARITABLE TRUST & ORS. Appellant(s)

VERSUS

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION & ORS. Respondent(s)

IN THE MATTER OF

KARNATAKA EXAMINATIONS AUTHORITY APPLICANT

O R D E R

Miscellaneous Application No. 3034/2026

1. This miscellaneous application is filed on behalf of Karnataka Examinations Authority with the following prayers:

a) Permit the Applicant Karnataka Examinations Authority (KEA) to conduct and complete a further/second round of counselling and seat allotment for PGCET 2026-27 for MBA, MCA and M.Tech courses against vacant sanctioned seats, and extend the time for completion of such counselling and admission process by a period of 15 days, or for such further period as this Hon'ble Court may deem fit and

Signature Not Verified
Digitally signed by KAPIL KANDARI
Date: 2026.11.05 15:03:48 IST
Reason:

proper;

b) Issue an appropriate prospective direction to the All India Council for Technical Education (AICTE) to prescribe, for future academic years, separate and appropriately staggered academic/admission schedules for undergraduate and postgraduate courses, keeping in view the distinct academic cycles and the time required for declaration of undergraduate results and completion of postgraduate counselling;

e) direct the AICTE, that while framing future postgraduate admission schedules, AICTE should provide a reasonable counselling window after the likely completion/declaration of undergraduate qualifying results, so as to avoid recurrence of the circumstances which have necessitated repeated prayers for extension of time;

f) pass such further or other order(s) and/or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interests of justice, equity and the student community.

2. When this matter came up for admission, we directed the applicant to file a detailed affidavit explaining the circumstances in which the present application is being made at such belated stage and if admissions are permitted, the steps that need to be taken to ensure that the students do not miss out on the classes. The Executive Director of Karnataka Examinations Authority, Bengaluru has filed a detailed affidavit, the entirety of which is extracted hereinbelow:

"AFFIDAVIT

I, Prasanna H, Executive Director of Karnataka Examinations Authority, Bengaluru, having

office at Sampige Road, 18th Cross, Malleshwaram, Bengaluru, Karnataka-560012, do hereby state on oath as follows:

1. I state that I am the Executive Director of the Karnataka Examinations Authority, Bengaluru for the State of Karnataka. I am aware of the facts of the case. Hence, I am swearing to this Affidavit.

2. I state that the Post-graduation Common Entrance Test 2026 (hereinafter called PGCET in short for the sake of brevity and convenience) was conducted 23-05-2026 for M.Tech programmes and on 14-06-2026 for MBA & MCA programmes. This year 58,347 eligible students have participated in the PGCET conducted by the Common Entrance Committee.

3. I state that the Government of Karnataka has a consensual Agreement with Private unaided Colleges, under which 40% of the seats in Private College are allotted through the Counselling Process, while 100% of the seats in Government Colleges are filled through the Karnataka Examinations Authority based on the merit/rank obtained in the PGCET.

4. I state that, after receipt of seat matrix from the Government, KEA has conducted the online counseling in a short span of time. The Candidates who have been on the merit list were permitted to login to the KEA counselling portal and choose their preferences and claim their reservation. I state that a total of 23,165 students participated in the 1st round of counselling process for PGCET 2026 and made their option entries. However, since the UG results were not declared for some of the colleges, such candidates could not participate in the counselling process and therefore, could not choose their preferences and claim their reservation.

5. I state in the First Round of Counselling, the computer allots the College and course preferred by the student as per his/her merit and option preference keyed in subject to reservations claimed and verified. Thereafter, the results are published. After the

announcement of the 1st round of seat allotment, students will be required to Choose between 4 Choices. The 4 Choices available for the students are detailed hereinbelow:

Choice 1: 100% happy with the allotted college and course, and prepared to take admission by paying fees. Further, not willing to participate in further rounds.

Choice 2: Satisfied with the allotted college, but willing to participate in the next round for improvement from higher order options.

Choice 3: Not interested with the allotted seat, hence surrendering the seat allotted but likes to participate in the next round.

Choice 4: Taken admission elsewhere, hence wish to exit / quit from the seat allotment process.

6. I state that in the first round of counselling for PGCET for MBA, MCA and M.Tech, the statistics of the student's participation, allotment and choices are detailed in the table below:

Sl. No.	Particulars	Number of Students
1	Students who wrote PGCET Exams.	58,347
2	Students who participated in the 1st round of PGCET counselling process conducted by KEA on 11.09.2026.	23,165
3	Students who opted for Choice 1 in the first round of counselling process & Students who have joined colleges based on the allotment of seats in the first round of counselling process. (student is 100% happy with the allotted college and course, and prepared to take admission paying fees. Further, not willing to participate in further rounds).	12,707

4	**Students who opted for Choice 2-student is Satisfied with the allotted college, but willing to participate in the next round for improvement from higher order options.**	**3848**
5	**Students who opted for Choice 3 -student is not satisfied with the college allotted to him, but would participate in the next round of counselling process.**	**3601**
6	**Students who opted Choice 4 students who wants to exit the counselling process.**	**642**
7	**Seats that remain unallotted after the first round of counselling process.** **(Note: Students have remained unallotted on account of not being allotted the preferred seats as per their option entry and not eligible to participate as stated above).**	**13,590**

5. In the event, this Hon'ble Court permits KEA to conduct the PGCET Counselling, KEA will have to take the following steps:

a) I state that KEA will immediately publish a Notice calling upon eligible candidates who are waiting for MBA/MCA/M.Tech seat allotment. Some of the eligible candidates have already made their option entries and they need to be given an opportunity to modify/alter the preference of colleges.

b) I state that, the College wise, category wise and courses wise available seats will be notified in the KEA Website for the information of the students.

c) I state that after the date and time specified for modification to Option Entry, the computer freezes options entered by the students and starts the process of seat

allotment in the order of merit by following the norms of the Government and priority of options entered by the candidates.

d) I state that, after the process of seat allotment KEA will announce the Provisional seat allotment of results, calling for objections by students if any. This process is likely to take about 5 days. Two days for re-arrange/option entry and three days for computer to generate results as per merit.

e) I state that, KEA will take further steps to announce the Final Seat Allotment results.

f) I state that, after the announcement of final results, the students who have been allotted the seats must compulsorily take admission in the allotted College or exit from the Counselling Process.

g) I state that in case time is granted, KEA will again call for an Extended Round of counselling for filling of unfilled seats / seats where students do not reports, in order to ensure there is optimal utilization of Government subsidized seats.

6. I state that to get admission at allotted Colleges, candidate must possess relevant degree Certificate with requisite marks as per norms. I state that, the process of counseling is governed by the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 (hereinafter called the 2006 Act in short) and Karnataka Selection of Candidates for Admission to Master of Business Administration and Master of Computer Application Courses Rules, 2005 (hereinafter called the 2005 Rules in short) and Notifications are issued by KEA from time to time.

7. I state that, for the above said reasons it is necessary that the last date of PG counseling i.e., 14.09.2026 may be extended for a period of 15 days that may help the poor and meritorious student community in the Civil appeal No. 9048 of 2012 in the case of Parshavanath Charitable Trust & Ors. Vs AICTE to get the admission on merit, who will be

deprived admission for no fault of theirs.

8. I state that the extension of time for counselling would afford an opportunity to all students at subsidized Government fees, making it accessible to poor and meritorious students who are adversely affected on account of being deprived of being allotted seats in the Counselling process. The merit list is already final and students will be provided College wise, category wise and courses wise admissions as per merit.

9. I state that, application made in M.A No. 3034/2026 in Civil Appeal No. 9048/2012 in the case of Parshavanath Charitable Trust & Ors. Vs AICTE seeking for granting limited extension of time to ensure equitable opportunity to students, optimum utilization of sanctioned seats and avoidance of unnecessary vacancy in approved post-graduate programmes.

I swear that my name, address, signature and the contents of this Affidavit are true and correct to the best of my knowledge and belief."

3. In compliance of our direction dated 26.10.2026, Dr. (Prof.) More Ramulu, Advisor-I (Regulation Bureau), All India Council for Technical Education has appeared before us and have also submitted that he has instructions on behalf of the Council to permit fresh counselling, followed by admissions to the respective colleges in Karnataka. He further submits that as regards to these admissions, they will formulate some additional conditions/guidelines for the admitting Colleges in order to ensure that academic standards are not compromised. In the affidavit filed by Dr. (Prof) More Ramulu, Advisor-I, AICTE undertakes the following;

"1. That the All India Council for Technical Education (AICTE) respectfully submits that, as per the revised Academic Calendar for the academic year 2026-27, the commencement of

classes for first-year students was scheduled for 17.08.2026, while the last date for admission against vacant seats was prescribed as 14.09.2026.

2. That, without prejudice to the prescribed admission schedule and subject to the directions of this Hon'ble Court, AICTE has no objection to a one-time, exceptional extension for filling the vacant seats in M.Tech., MBA and MCA programmes in the State of Karnataka, subject to the conditions stipulated herein.

3. That the Karnataka Examination Authority (KEA) shall complete the entire counselling process, including publication of vacancies, choice entry, seat allotment and declaration of results, within 15 days or within such period as may be specifically directed by this Hon'ble Court.

4. That the entire admission process, including fee payment, document verification, eligibility verification, reporting to the allotted institution and completion of all admission formalities, shall be completed within three weeks from the date of the order of this Hon'ble Court. No further extension shall be granted except with the specific permission of this Hon'ble Court.

5. That admissions shall be confined strictly to the vacant seats within the approved intake of the respective institutions and shall be made in accordance with the applicable eligibility criteria, merit, reservation provisions and the prescribed counselling procedure. No admission beyond the sanctioned intake or outside the permitted admission process shall be allowed.

6. That the extension of the admission timeline shall not be construed as a relaxation of the academic standards prescribed by AICTE, the affiliating university or other competent academic authority. All students admitted pursuant to the extended counselling process shall be required to complete the prescribed curriculum, credits, instructional hours, practical and laboratory work, project work, internal assessments, attendance requirements

and examinations.

7. That the institutions concerned shall prepare a course-wise compensatory academic schedule to address the academic loss occasioned by the late admission of students. Such compensation may include additional classes of approximately one hour per working day, classes on Saturdays, Sundays or other non-instructional days, additional practical or laboratory sessions, tutorials and other suitable academic arrangements, depending upon the actual academic shortfall.

8. That the compensatory academic schedule shall be implemented in accordance with the applicable regulations of the affiliating university or competent academic authority, and the prescribed curriculum and credit requirements shall not be reduced or diluted on account of the extended admission timeline.

9. That the institutions shall maintain proper records of additional classes conducted, attendance, laboratory and practical sessions, internal assessments and completion of the prescribed syllabus. The competent university authority shall monitor compliance with the applicable academic requirements and examination regulations.

10. That the KEA shall furnish the final programme-wise and institution-wise admission data to the competent authorities, and the institutions concerned shall submit their compensatory academic schedules and compliance reports to AICTE.

11. That the proposed extension is confined to the exceptional circumstances of the present case and shall not be treated as a general relaxation of the prescribed admission calendar or as a precedent for seeking similar extensions in subsequent academic sessions.

12. That the above conditions are proposed to ensure that the exceptional extension of counselling, if permitted by this Hon'ble Court, does not adversely affect the academic standards, quality of technical education or the interests of students admitted during the

extended period.

4. Having considered the matter in detail we allow the prayer 'a' in the Miscellaneous Application filed by Karnataka Examination Authority.

5. We further direct the Karnataka Examinations Authority to commence and conclude the counselling process till 14th November 2026 and to ensure that the classes shall commence from 15th November, 2026 in accordance with the averments made in the affidavit. For this purpose the last date of PG counselling i.e., 14.09.2026 is extended till 14th November, 2026 for completing the process.

6. It is made clear that this order is passed in the facts and circumstances of the case and shall not be treated as precedent.

7. Accordingly, the Miscellaneous Application stands disposed of.

……J.
[PAMIDIGHANTAM SRI NARASIMHA]

……J.
[ALOK ARADHE]

NEW DELHI;
OCTOBER 29, 2026

ITEM NO.27 COURT NO.5 SECTION III

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Miscellaneous Application No. 3034/2026

[Arising out of impugned final judgment and order dated 28-09-2026 in D No. No. 58038/2026 passed by the Supreme Court of India]

PARSHAVANATH CHARITABLE TRUST & ORS. Petitioner(s)

VERSUS

ALL INDIA COUNCIL FOR TECH.EDU & ORS. Respondent(s)

IA No. 312928/2026 - EXTENSION OF TIME

WITH

Diary No(s). 63770/2026 (III)
IA No. 317486/2026 - CLARIFICATION/DIRECTION
IA No. 317490/2026 - EXEMPTION FROM FILING O.T.
IA No. 317481/2026 - INTERVENTION APPLICATION
IA No. 332075/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Diary No(s). 64072/2026 (III)
IA No. 320757/2026 - APPLICATION FOR PERMISSION
IA No. 320756/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 320758/2026 - INTERVENTION/IMPLEADMENT

Date : 29-10-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. P V Yogeswaran, Adv.
Mr. Ashish Kumar Upadhyay- 3828, AOR
Ms. Maitri Goal, Adv.
Mr. Varun Ranjan, Adv.
Mr. Anubhav Chaturvedi, Adv.
Mr. Vivek Kumar Srivastava, Adv.
Mr. Devendra Kumar Mishra, Adv.

Mr. Durga Dutt- 2460, AOR
Mr. Rakesh Kumar Singh, Adv.
Mr. Somesh Kumar Dubey, Adv.
Mr. Pradeep Yadav, Adv.
Mr. Z. Orenvungo Ezung, Adv.

Mr. Abishek Manu Shingvi, Sr. Adv.
Mrs. Kiran Suri, Sr. Adv.
Mr. Subhash Chandra Sagar, Adv.
Mr. Hemant Kumar Sagar, Adv.
Mr. Shivam Verma, Adv.
Ms. Divyanshi Bucha, Adv.
Mr. E. C. Vidya Sagar- 1105, AOR

For Respondent(s) :Ms. S. Ramamani- 1645, AOR
Mr. Shree Pal Singh- 670, AOR
Mr. Satish Kumar- 1822, AOR
Mr. Siddharth Singla- 1728, AOR

Mr. Harish Pandey- 1715, AOR
Ms. Pearl Sharma, Adv.

M/S. Lawyer S Knit & Co- 1336, AOR
Mr. Navin Prakash- 990, AOR
Mr. Gopal Singh- 211, AOR
Mr. G. Prakash- 208, AOR
Mr. Sanand Ramakrishnan- 1832, AOR

Mr. Ravi Kant, Adv.
Mr. Mayank Manish, Adv.
Mr. Chandra Prakash- 1924, AOR
Mr. Vineet Upadhyay, Adv.
Mr. Vivek Singh, Adv.
Mr. C.p. Rajwar, Adv.
Mr. Rohan Chandra, Adv.

Mr. Ajay Choudhary- 1342, AOR
Ms. Pratibha Jain- 518, AOR

UPON hearing the counsel the Court made the following

O R D E R

Miscellaneous Application No. 3034/2026

1. The Miscellaneous Application stands disposed of in terms of the signed order.

2. Pending application(s), if any, shall stand disposed of.

Diary No(s). 63770/2026 & Diary No(s). 64072/2026

List on 02.11.2026.

(KAPIL TANDON) **(NIDHI WASON)**
ASTT. REGISTRAR-cum-PS **ASSISTANT REGISTRAR**
(Signed Order is placed on the file)