

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7350 OF 2014

PRADNYA SHRAMAN SARASWATACHARYA DEVNANDIJI JAIN
BAHUDDSHIY SAMAJ SEVA SANSTHA, OSMANABAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Undre Vikram S
AGP for Respondents: Mrs.S.D.Shelke
Adv.Mr.Chapalgaonkar S.G. For R/2 And 3

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**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.
DATED : 5th MARCH, 2015**

P.C. :-

Mr.Undre, learned counsel for petitioner submits that the petitioner had submitted application for start of M.Sc. Computer course alongwith requisite fees. The deficiencies were pointed out. The said deficiencies were rectified, however, still the respondent university did not approve the application and recommend to the Government. The learned counsel submits that the inaction on the part of the University in recommending proposal to the Government is erroneous and does not stand to any reason. The petitioner had deposited the sum of Rs.2,40,000/- with the respondents.

2] Mr.Chapalgaonkar, learned counsel submits that on 6/8/2013,

itself the petitioner was communicated that his proposal has not been recommended to the State Government. The petition is filed 14 months thereafter. According to the learned counsel, time limit has to be considered and if recommendation is to be given it has to be within time.

3] We have considered submissions of respective parties. It would not be fruitful to consider proposal tendered in the year 2013 for the forthcoming year. The perspective plan and other aspects are required to be considered.

4] Interest of justice would subserve by issuing following directions :

A] The petitioner may submit fresh proposal within time frame as is directed in the statute seeking permission to start M.Sc. Computer course and if such proposal is submitted, the same shall be considered by University as per parameters and norms existing on the date of submission of the proposal within time frame as stipulated in the statute.

B] As far as refund of the amount paid at the time of making previous application is concerned, petitioner may make a

representation with the respondent-university, which would be considered by the University as per the Rules.

5] Petition is disposed of. No costs. Needless to state, we have not considered the merits of the contentions raised by the parties.

V.L.ACHLIYA, J.

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S. V. GANGAPURWALA, J.