

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.7775 OF 2015

Pravara Medical Trust's
Arts, Commerce and Science College,
At Shevgaon, Tq-Shevgaon,
Dist-Ahmednagar,
Through its Principal
Dr. Bharat Kardak,
Age-37 years, Occu:Service,
R/o-Shevgaon, Tq-Shevgaon,
Dist-Ahmednagar.

...PETITIONER

VERSUS

- 1) The State of Maharashtra
Through the Secretary for
Higher and Technical Education
Department, Mantralaya, Mumbai.
- 2) The Joint Director,
Higher and Technical Education
Department, Pune Division, Pune.
- 3) Savitribai Phule Pune University,
Ganeshkhind, Pune,
Through its Registrar.

...RESPONDENTS

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Mr. V.D. Hon, Senior Counsel with Mr. A.V. Hon
Advocate for Petitioner.
Mr. V.J. Dixit, Senior Counsel i/b. Mrs. A.V.
Gondhalekar A.G.P. for Respondent Nos.1 & 2.
Mr.S.V. Natu Advocate h/f. Mr. A.R. Joshi
Advocate For Respondent No.3.

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WITH

WRIT PETITION NO.7776 OF 2015

Potdar College,
Near Vasantrya Naik High School,
Dhangarwadi, Latur Road,
Nanded, Dist-Nanded,
Through its Principal,
Chandrakant Narayanrao Potdar,
Age-58 years, Occu:Service,
R/o-Kailasnagar, Nanded,
Tq. & Dist-Nanded.

...PETITIONER

VERSUS

- 1) The State of Maharashtra
Through the Secretary for
Higher and Technical Education
Department, Mantralaya, Mumbai,
- 2) The Joint Director,
Higher and Technical Education
Department, Nanded Division, Nanded,
- 3) Swami Ramanand Teerth Marathwada
University, Nanded, Dist-Nanded,
Through its Registrar.

...RESPONDENTS

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Mr. V.D. Hon, Senior Counsel with Mr. A.V. Hon
Advocate for Petitioner.

Mr. V.J. Dixit, Senior Counsel i/b. Mrs. A.V.
Gondhalekar A.G.P. for Respondent Nos.1 & 2.
Mr.U.S. Malte Advocate For Respondent No.3.

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WITH

WRIT PETITION NO.8251 OF 2015

Shree Mohtadevi Shikshan Sanstha,
Aurangabad,
Through its Secretary,
Sau. Archana Prabhakar Mukhekar.

...PETITIONER

VERSUS

- 1) The State of Maharashtra
Through the Secretary for
Higher and Technical Education
Department, Mantralaya, Mumbai.
- 2) The Joint Director,
Higher and Technical Education
Department, Aurangabad Division,
Aurangabad.

...RESPONDENTS

...

Mr. V.D. Hon, Senior Counsel with Mr. A.V. Hon
Advocate for Petitioner.

Mr. V.J. Dixit, Senior Counsel i/b. Mrs. A.V.
Gondhalekar A.G.P. for Respondent Nos.1 & 2.

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WITH**WRIT PETITION NO.9459 OF 2015**

Shikshan Prasarak Sanstha's
Sangamner Nagar Palika Arts,
D.J. Malpani Commerce and
B.N. Sarda Science College, Sangamner,
At Ghulewadi, Tq-Sangamner,
Dist-Ahmednagar,
Through its Principal
Keshav Kashinath Deshmukh,
Age-60 years, Occu:Service,
R/o-Sangamner, Tq-Sangamner,
Dist-Ahmednagar.

...PETITIONER

VERSUS

- 1) The State of Maharashtra
Through the Secretary for
Higher and Technical Education
Department, Mantralaya, Mumbai.
- 2) The Joint Director,
Higher and Technical Education
Department, Pune.
- 3) Savitribai Phule Pune University,
Pune,
Through its Registrar.

...RESPONDENTS

...

Mr. V.D. Hon, Senior Counsel with Mr. A.V. Hon
Advocate for Petitioner.

Mr. V.J. Dixit, Senior Counsel i/b. Mrs. A.V.
Gondhalekar A.G.P. for Respondent Nos.1 & 2.

Mr. S.V. Natu Advocate h/f. Mr. A.R. Joshi
Advocate For Respondent No.3.

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**CORAM: R.M. BORDE AND
 A.I.S. CHEEMA, JJ.**

DATE : 7TH DECEMBER, 2015

ORAL JUDGMENT :

1. Heard. Rule. Rule made returnable
forthwith. With the consent of learned counsel for
the parties, the Petitions are taken up for final
disposal at admissions stage.

2. These four Petitions are arising out of the identical set of facts as in the matter of Vishal Shikshan Prasarak Mandal, Dhule vs. the State of Maharashtra and others, bearing Writ Petition No.5805 of 2015 decided on 12th October, 2015, by the Division Bench of this Court.

3. These Petitions as such, can be disposed of in view of the reasons recorded in the aforesaid Writ Petition No.5805 of 2015 with following directions.

4. We direct the State Government to consider the proposal of the Petitioners' institutions for the academic year 2016-2017 for the reason that the time frame, prescribed under the Government Resolution dated 30th October, 2010 as well as the provisions contained in Section 82 of the Act of 1994, has come to an end.

5. We also direct the State Government to

consider the applications tendered by the petitioners' institutions in the context of letter of intent, already issued to the Petitioners for opening a new college during the academic year 2016-2017.

6. The State is expected to take a decision in the matters in accordance with and subject to approval to the perspective plan by the State Council for Higher Education.

7. Rule is accordingly made absolute in above terms. There shall be no order as to costs.

[A.I.S. CHEEMA, J.]

asb/DEC15

[R.M. BORDE, J.]