

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7210 OF 2015

- | | | | |
|----|-------------------------|---|-------------|
| 1. | Seva Sadan Trust, |) | .Petitioner |
| | through its Secretary, |) | |
| | Plot No.64, Ulhasnagar, |) | |
| | P.O.Ulhasnagar 3, |) | |
| | Thane – 421 003. |) | |
| | |) | |
| 2. | Seva Sadan's College of |) | |
| | Education, through its |) | |
| | Principal, Plot No.64, |) | |
| | part II, Section 6-A, |) | |
| | Village./P.O./Tehsil - |) | |
| | Ulhasnagar, |) | |
| | Thane – 421 003. |) | |

v/s.

- | | | | |
|----|----------------------------|---|--------------|
| 1. | The State of Maharashtra |) | .Respondents |
| | Through the Secretary, |) | |
| | Higher and Technical |) | |
| | Education Department, |) | |
| | Government of Maharashtra) |) | |
| | Mantralaya, |) | |
| | Mumbai – 400 001. |) | |
| | |) | |
| 2. | University of Mumbai |) | |
| | Through its Registrar, |) | |
| | M.G.Road, Fort, |) | |
| | Mumbai – 400 001. |) | |
| | |) | |
| 3. | National Council for |) | |
| | Teacher Education, |) | |
| | Through the Regional |) | |
| | Director, Western |) | |
| | Regional Committee, |) | |

Bhopal, Manas Bhawan,)
Shyamala Hills)
Bhopal – 462 002.)

Mr. Vinamra Kopariha, Advocate, for the
Petitioner

Mr. Y.N. Sagare, AGP, for the State

Mr. R.A. Rodrigues a/w. Ms Pranali Dixit,
Advocate, for the Respondent No.2

**CORAM : ANOOP V. MOHTA AND
V.L.ACHLIYA, JJ.**

DATE : 11.08.2015

ORAL JUDGMENT (PER V.L.ACHLIYA, J.)

. Rule.

2. Rule returnable forthwith.

3. By consent, the matter is taken up for
final disposal at the stage of admission.

4. In nutshell, it is the case of the
Petitioner that National Council for Teachers
Education is a statutory body responsible for

granting approval to degree courses in Education and has granted approval in favour of the Petitioner after carrying out due inspection. After obtaining permission from the NCTE. The Petitioner approached the Respondent No.2 – University for grant of affiliation as contemplated under the provisions of the Maharashtra Universities Act. The Respondent No.2 – University after scrutiny of the proposal received for the affiliation, recommended the case of the Petitioner to the State Government for grant of requisite NOC. However, the State Government has not communicated its decision in respect of the proposal sent to the Government. Therefore, the Petitioner has approached this Court by way of this Writ Petition seeking a writ of Mandamus as against the Respondent Nos.1 and 2 to grant affiliation in favour of Petitioner to start M. Ed. for the academic year 2015-16.

5. Learned AGP appearing on behalf of the Respondent No.1 on instructions from the concerned department submits that the Government has taken the decision to grant NOC in favour of the Petitioner. He has produced the written communication in that behalf received from the Government.

6. Learned counsel representing Respondent No.2/University submits that the Respondent No.2 – University will take appropriate decision as to grant of affiliation to Petitioner institution as soon as written communication to that effect received from the Government. Learned counsel further makes statement that the Respondent No.2 will make an endeavour to take appropriate decision in the matter as early as possible latest within one week from the date of receipt of communication.

7. In view of the above, no cause survives to proceed with the petition. Accordingly, the Petition is disposed of in view of statement made by learned AGP and counsel representing Respondent No.2 with no order as to costs.

8. Rule made absolute.

(V.L.ACHLIYA, J.)

(ANOOP V. MOHTA, J.)