

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2818/2014

(DNYANRANJAN KRIDA BAHUUDDESHIYA SANSTHA **VERSUS** THE STATE OF MAHARASHTRA
& OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri B.G. Kulkarni, counsel for the petitioner.
Shri N.R. Patil, A.G.P. for the R-1 & 2.
Ms Tajwar Khan, counsel for the R-3.

CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.

DATE : JULY 8, 2015.

Shri Patil, the learned Assistant Government Pleader appearing on behalf of the respondent nos.1 and 2, has tendered an affidavit-in-reply of the respondent nos.1 and 2 in the Court, today.

The same is accepted on record.

It is stated by the learned Assistant Government Pleader by referring to paragraph 3 of the affidavit that if it was brought to the notice of the respondent no.1 that the "point" for Science Faculty in Parsheoni Tahsil was already exhausted, the impugned order permitting the respondent no.4 to start Science Faculty in Parsheoni Tahsil could not have been passed. It is stated that it is admitted in the affidavit of the respondent nos.1 and 2 that there was no "Point" available for opening the Science Faculty in Parsheoni Tahsil after the order dated 15.07.2013 and since this aspect has been noticed by the respondent, the matter would be placed before the Hon'ble Minister for decision.

On a reading of paragraph 3 of the affidavit-in-reply filed by the respondent nos.1 and 2, it is clear that the respondents are taking steps for cancellation of the permission granted in favour of the respondent no.4 to start a Science Faculty in Parsheoni Tahsil. It is clearly admitted in paragraphs 3 and 4 of the affidavit-in-reply that the impugned order was passed on an assumption that the "Point" was available and was not exhausted.

In view of the statements made in paragraphs 3 and 4 of the affidavit-in-reply, the grievance of the petitioner should stand redressed. We, therefore, dispose of the writ petition with a direction to the respondents to take appropriate steps in pursuance of the statements made in paragraphs 3 and 4 within a period of two weeks.

Order accordingly. No costs.

JUDGE

JUDGE

APTE