

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3872/2014

(Sakhi Sewaee Bahuuddeshiya Sanstha Thane vs. The State of
Maharashtra and others)

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

Court's or Judge's order

Mr. S.G.Joshi, Adv. for the petitioner
Mr. S.M.Bhagde Asst.Govt.Pleader for Res.No.1

CORAM : SMT.VASANTI A. NAIK &
A.M.BADAR, JJ.

DATED : 30th March, 2015.

By this petition, the petitioner seeks a direction to the respondent no. 1 to decide the proposal submitted for opening a new College at Kosamtondi.

On hearing the learned counsel for the parties and on a perusal of the documents annexed to the Writ Petition, it appears that the petitioner has approached this Court belatedly by filing the Writ Petition on 17.7.2014. If the proposal of the petitioner dated 29.10.2012 was not decided by the State Government within a reasonable time, the petitioner ought to have approached this Court before the commencement of the academic session 2013-14. The petitioner, however, waited for a long time to seek the aforesaid relief. The infrastructure and the other arrangements made by the petitioner must have deteriorated during the past couple of years. Under the provisions of the Maharashtra Universities Act, especially the provisions of Section 89, it would be necessary for an institution to make an application for opening a new college before the month of October of the previous year. If the petitioner was desirous of opening the college in the academic

session 2013-14, and if the proposal was not decided, the petitioner ought to have filed the writ petition before the commencement of the academic session 2013-14. The academic year 2015-16 will now commence shortly. We are, therefore, not inclined to issue any direction to the respondent no.1 to decide the old proposal made three years earlier.

In the result, the Writ Petition is disposed of, with no order as to costs. The petitioner is at liberty to submit a fresh proposal in accordance with the provisions of the Maharashtra Universities Act.

Order accordingly.

JUDGE

JUDGE

sahase