

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

47 WRIT PETITION NO.1285 OF 2016

LONAR SHIKSHAN PRASARAK MANDAL KANNAPUR THROUGH ITS
PRESIDENT PRAVIN DEVIDASRAO D

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Petitioners : Mr. Solanke Shrikrashna B.
Mr. S.D.Kaldate, AGP for Respondent/sole

**CORAM : S.S.SHINDE &
P.R.BORA,JJ.**

DATE : 24th February, 2016.

PER COURT :

1) Heard. Learned counsel appearing for petitioner submits that the proposal of the petitioner to start Commerce college was rejected, relying upon the Government Circular No. Uship 1113/Pra.405/Vishi-3, dated 29th April, 2015 issued by Higher & Technical Education, Government of Maharashtra, Mumbai. However, the said Government circular is quashed and set aside by the Principal seat at Bombay by order dated 8th September, 2015 in Writ Petition No.6002/2015 (Habib Educational and Welfare Society's M.S. College of Law Vs. State of Maharashtra and Ors.) He further submits that in case

of similarly situated persons, whose proposals were rejected, relying upon the aforementioned government Circular, were directed to be considered afresh by the Respondent/State Government, treating those proposals pending for the academic year 2016-2017, keeping in view the perspective plan prepared by the State Government and the University. The learned counsel appearing for the petitioner invited our attention to one of such order dated 21st January, 2016 passed by the Division Bench of this court, in Writ Petition No.6760/2015 and another connected writ petitions.

2) In the light of the submissions made across the Bar by learned Counsel appearing for the petitioner and the documents placed on record and in particular the order dated 21st January, 2016 passed by this Court in WP No.6760/2015 and other connected matters, we pass following order, -

ORDER

I) The State Government to consider the proposal of the petitioner for the academic year 2016-2017, keeping in view the perspective plan prepared by the State Government and University.

Needles to observe that, no further process fees is required to be paid by the petitioner.

3) The petition is disposed of on above terms.

. The parties to act on authenticated copy of this order.

(P.R.BORA)
JUDGE

(S.S.SHINDE)
JUDGE

bdv/