

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

26 WRIT PETITION NO. 6984 OF 2015

SWAMI VIVEKANAND SHIKSHAN PRASARAK MANDAL
THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHERS

...
Advocate for Petitioners : Patil Indrale Anand V.
AGP for Respondents: V.S. Badakh
Advocate for Respondents : Latange V.P. For R/2

...
**CORAM : S.V.GANGAPURWALA &
P.R. BORA, JJ.**
DATED : 10.10.2016.

P.C. :-

1. The petitioner had given proposal for starting new senior college in Arts and Science faculty at Village Barad. The University recommended the said proposal. So far as Arts faculty is concerned the state government without assigning any reason rejected the said proposal. The petitioner had along with the proposal deposited processing fees of Rs.70,000/-.
2. The learned A.G.P. states that, the petitioner can file a fresh proposal, there is no impediment for it and if the same is permissible as per the master plan it would be considered.
3. We have gone through the communication issued to the petitioner stating rejection of the said proposal, it appears that, the university had recommended the proposal of the petitioner for starting

senior college in Arts faculty and gave negative recommendation as far as science faculty is concerned. The state government under its communication dated 20.02.2015 communicated the university that, the same is not considered. The petitioner has deposited the processing charges, naturally, now if the said proposal is required to be considered it has to be considered for the next academic year and if the same is permissible as per the master plan.

4. Considering the fact that no reasons have been given while rejecting the proposal, we set aside the said order. The state government shall take a fresh decision for grant of permission to the petitioner to run senior college in Arts faculty. The same shall be considered for the next academic year 2017-2018 and in case the same is permissible as per the master plan. The decision upon the same shall be taken on or before 30.05.2017. Parties to act on the authenticated copy of this order. Learned A.G.P. to communicate the present order to concerned authority. Writ petition disposed of. No costs.

[P.R.BORA, J.]

[S.V. GANGAPURWALA, J.]