

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

**WRIT PETITION NO.10516 OF 2015**

Kai.Annasaheb Patil Shevabhavi Sanstha,  
Chandegaon, Tq. & Dist. Beed,  
Through its Secretary,  
Ganesh s/o. Shivdas Pokale,  
Age:35 Years, Occup. Business,  
R/o. Ganpati Nagar, Beed,  
Tq. & Dist. Beed.

**PETITIONER**

**VERSUS**

1] The State of Maharashtra  
Through the Secretary,  
Higher & Technical Education  
Department, Mantralay,  
Maharashtra State, Mumbai-32.

2] The Director of Higher Education,  
Maharashtra State, Pune.  
[Copy to be served on Government  
Pleader, High Court of Bombay  
Bench at Aurangabad]

3] The Registrar,  
Shreemati Nathibai Damodhar Thackersey,  
Women's University,  
Nathibai Thackersey Road, Chrchgate,  
Mumbai-400020.

**RESPONDENTS**

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Mr.A.B.Hawale, Advocate for the Petitioner  
Mr.S.B.Pulkundwar, AGP for Respondent Nos.1  
and 2.  
Mrs.Vaishali Patil Jadhav, Advocate for  
Respondent no.3.

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**CORAM: S.S.SHINDE &  
SANGITRAO S.PATIL, JJ.**

Date: 25<sup>th</sup> April, 2016.

**PER COURT:**

Heard the learned counsel appearing for the petitioner, the learned AGP appearing for respondent nos.1 and 2 – State, and the learned counsel appearing for respondent no.3.

2] This Writ Petition is filed praying therein to quash and set aside the Government Resolution dated 29<sup>th</sup> April, 2015, issued by the Higher & Technical Education Department, Government of Maharashtra, Mantralaya, Mumbai. The petitioner also seeks direction to the respondents to consider the proposal of the petitioner favourably and grant affiliation to start the women College at Neknoor, Dist. Beed under name and styled as 'Loknete Pankanjatai Munde Women College, Neknoor, Taluka and District Beed.

3] It is the case of the petitioner that on 28.10.2014, the petitioner society has submitted the proposal seeking affiliation to start the women College at Neknoor, District Beed under the name and style as 'Loknete Pankanjatai Munde Women College, Neknoor, Taluka and District Beed. The petitioner society has submitted all necessary documents including Certificate of Registration, undertakings, plan and also deposited affiliation fees as per the advertisement and requested to grant affiliation to the College to start the Bachelor of Arts [B.A.] and Bachelor of Commerce [B.Com] faculties.

4] It is further the case of the petitioner that the University has favourably recommended the proposal of the petitioner to the State Government. However, the proposal was rejected on the ground that the Government of Maharashtra, by the aforesaid

Government Resolution, has taken a policy decision not to grant permission to open new Colleges. It is submitted that this Court in Writ Petition No.7800/2015 [Chandrakala Sevabhavi Sanstha through its President Vs. The State of Maharashtra and others] along with connected Writ Petitions thereto has directed the Government to consider the proposals submitted for the academic years from 2013-2014 to 2015-2016 by treating the said proposals for the academic year 2016-2017 on its own merits and without asking the petitioner for fresh proposals or fresh deposits of fees.

5] The learned AGP appearing for the respondent – State submits that the proposal of the petitioner will be considered on its own merits keeping in view the policy of the State Government as and when the Government will consider the proposals received by it for the academic year 2016-2017.

6] Without entering into the merit and leaving open to the State to make scrutiny of the proposal in accordance with the Government policy, respondent no. 1 is directed to consider the proposal of the petitioner without asking the petitioner to submit fresh proposal or fresh deposit of fees along with the other proposals which may be received to the respondents in pursuance of the advertisement for the academic year 2016-2017. Respondent no.1 State Government will be at liberty to find out whether the University has favourably recommended the proposal of the petitioner or otherwise.

7] We have not expressed any opinion on merits of the said proposals. Writ Petition stands disposed of on the above terms.

**[SANGITRAO S.PATIL]**  
**JUDGE**

**[S.S.SHINDE]**  
**JUDGE**