

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

WRIT PETITION NO.10671 OF 2015

Rahamaniya Talimi Society
Nilanga, Tq. Nilanga,
Dist. Latur.

PETITIONER

VERSUS

The State of Maharashtra
and others.

RESPONDENTS

...

Mr.V.D. Gunale, Advocate for the Petitioner
Mrs. A.V. Gondhlekhar, AGP for Respondent
Nos.1 to 3.
Mr.U.S.Malte, Advocate for Respondent no.4.

...

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

Date: 4th May, 2016.

PER COURT:

Heard the learned counsel appearing
for the parties.

2. The learned counsel appearing for
the petitioner submits that the petitioner
submitted the proposal for opening and

running new senior college at Kasarshirshi, Tq. Nilanga, Dist. Latur for the academic year 2014-2015. According to him, the said village is included in the Prospective Plan, however, the said proposal is kept pending undecided by the Respondents for no reason. He further submits that the said proposal is favourably recommended by the Respondent — University.

3. The learned A.G.P. appearing for the Respondent/State, relying upon the affidavit in reply filed by Dr. Mohan Namdeo Khatal, Regional Joint Director, Higher Education, Nanded Region, Nanded on behalf of Respondent Nos. 1 to 4, submits that the Government of Maharashtra has considered the proposals wherein already Letters of Intent were issued and all other proposals are rejected on the ground of not complying with the criteria.

4. We have considered the submissions advanced by the learned counsel appearing for the petitioner, the learned A.G.P. appearing for the Respondent/State and the learned counsel appearing for the Respondent – University.

5. In our opinion, the ends of justice would be met, in case Respondent No.1 is directed to consider the proposal of the petitioner, on its own merits, without raising the ground that the letter of intent is not issued in favour of the petitioner. Accordingly, Respondent No.1 is directed to consider the proposal of the petitioner for opening and running the new senior college at Kasarshirshi, Tq. Nilanga, Dist. Latur, on its own merits and after verifying the fact that whether the said proposal is recommended by the Respondent – University and also whether it complies with the criteria laid

down in the Government Policy. However, Respondent No.1 shall not insist for submitting the new proposal or or fresh deposit.

6. Respondent No.1 is directed to decide the said proposal, as expeditiously as possible, and preferably on or before 20th June, 2016 and communicate the said decision to the petitioner.

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

[SANGITRAO S.PATIL]
JUDGE

[S.S.SHINDE]
JUDGE