

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

WRIT PETITION NO.2683 OF 2015

Pratap Memorial Charitable Trust, Gondia, Thr. its Secretary and anr.

-vs-

The State of Maharashtra, Thr. its Secretary, Dept. of Higher and Technical Education,
Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. B. Patil, counsel for petitioner.

Shri N. S. Khubalkar, AGP for respondents.

**CORAM : SMT. VASANTI A. NAIK &
A.S.CHANDURKAR, JJ.**

DATE : 08.02.2016

Since we were not inclined to grant the prayer for a declaration that the State Government was liable to grant the grant in aid facility to the additional sections and new subjects faculties started in the petitioner No.2 College, the learned counsel for the petitioner states that the petitioner is not desirous of seeking the said relief. It is stated that the petitioner gives up the said prayer and therefore seeks permission to withdraw the writ petition so far as the aforesaid prayer is concerned. It is stated that the petitioner would like to make an appropriate representation to the University for modifying the fee structure in the College of the petitioner as per the provisions of Section 5(27) of the Maharashtra Universities Act in respect of the second prayer. It is stated that the petitioner would avail the appropriate remedy and would make a representation to the University and if at all the petitioner is aggrieved by the order of the University, the petitioner would seek

appropriate steps.

We permit the petitioner to withdraw the writ petition in respect of the prayer for declaration that the State Government is liable to extend the grant in aid facility to additional sections and new subjects faculties started in the petitioner No.2 College. We grant liberty to the petitioner to avail the alternate remedy in respect of the alternate prayer for revision of the fee structure. The points in regard to the alternate prayer are kept open.

JUDGE

JUDGE