

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

926 WRIT PETITION NO. 5141 OF 2016

ANJUMAN ISHAT E TAALIM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Shri. Vivek J. Dhage, Advocate, for petitioner.
Shri. S.B. Joshi, Assistant Government Pleader,
for respondent Nos.1 and 3.
Shri. S.G. Chapalgaonkar, Advocate, for
respondent No.2.

**Coram: T.V. NALAWADE &
SANGITRAO S. PATIL, JJ.**

Date: 2 March 2017

ORDER:

1) The proceeding is filed for giving directions to the respondents, State Government and the University to see that the petitioner's proposal for granting permission to start new College of Arts for Women in Urdu is considered and decided.

2) The learned Assistant Government Pleader produced on record copy of correspondence made by the Government with all the Universities to inform that the Government has taken a policy

decision that for the academic year 2017-18 there will be no proposal considered for opening new such colleges, as the Government is preparing a policy with regard to plan and granting permission for starting such new colleges. Thus it is a policy decision of the Government.

3) Learned counsel for the petitioner drew attention of this Court to Article 30 of the Constitution of India. As this right is also subject to the recognition given by the University and the permission given by the State, this Court holds that this Court is not expected to give direction to the State. It will be open to the petitioner again to come to this Court if the petitioner finds that in breach of that policy, permission is given to any other institution. In that case this Court will be considering the matter even after the term has started. The petition is disposed of.

Sd/-

(SANGITRAO S. PATIL, J.)

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Sd/-

(T.V. NALAWADE, J.)