

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

BENCH AT AURANGABAD.

WRIT PETITION NO.2699 OF 2017

Rajkunwar Bahhuudeshiya Sevabhavi
Sanstha, Jalna. ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
WITH

WRIT PETITION NO.2700 OF 2017
WRIT PETITION NO.2708 OF 2017
WRIT PETITION NO.2745 OF 2017
...

Mr.S.S.Jadhavar, advocate for the petitioner.
Mrs.Vaishali Patil Jadhav, A.G.P. for the State.
Mr.S.S.Tope, advocate for Respondent Nos.2 and 3
in W.P.No.2699/17
Mr.S.G.Chapalgaonkar, advocate for Respondent No.2
in W.P.No.2708/2017.
Mr.S.S.Thombre, advocate for Respondent No.2 in
W.P.No.2745/17.
Mr.K.M.Suryawanshi, advocate for Respondent No.2
in W.P.No.2700/17.

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**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 26.03.2018.

PER COURT :

1. Mr.Jadhavar, learned counsel submits that the petitioner has submitted proposal for grant of additional courses/divisions for the academic year 2016-17. The Government did not decide the said proposals.

2. Mr.Thombre, Mr.Chapalgaonkar, Mr. Suryawanshi and Mr.Tope, respective counsel for the University submit that policy decision was taken by the Government not to grant any permissions for fresh courses for the academic year 2017-18 and the University was directed to prepare fresh perspective plan. The proposal of the petitioners was not recommended. In fact, it was with negative recommendation. The petitioner may file fresh proposal for the academic year 2018-19.

3. Learned A.G.P. submits that policy decision is taken by the Government not to grant new Colleges and courses for the academic year 2017-18.

4. Taking into consideration the new Universities Act, 2016 and its provisions, the Government had taken a decision not to grant Colleges for the academic year 2017-18. In all these matters the University had given negative recommendation in case of the petitioner for start of additional courses/divisions. Now the proposal of the petitioner will have to comply the provisions of the Maharashtra Public Universities Act, 2016. It is for the Government to see that the provisions are complied and the deficiencies pointed out by the University in its negative recommendation and then has to decide the proposal of the petitioner. Once the proposal is received by the Government, the Government has to pass the order one way or the other. As the Government has not passed any order on the proposal of the petitioner, we direct the Government to take decision upon the proposal negatively recommended by the University preferably by the end of May 2018. The same be considered for the academic year 2018-19, of-course, the Government will have to consider the deficiencies pointed out by the University, the

provisions of the Maharashtra Public Universities Act, 2016 and the perspective plan while taking the decision. The decision shall be taken by the end of May 2018.

5. The Writ Petitions are disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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