

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7592 OF 2017

Vishal Shikshan Prasarak Mandal, Dhule,
Through its President

.. **Petitioner**

Versus

The State of Maharashtra and another

.. **Respondents**

Shri V. D. Hon, Senior Advocate i/b Shri A. v. Hon, Advocate for
the Petitioner.

Mrs. M. A. Deshpande, Addl. G. P. for Respondents.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 6th March, 2018

PER COURT :

1. We have heard Mr. Hon, learned senior advocate for the petitioner and Mrs. Deshpande, learned Additional Government Pleader for the respondents.

2. The petitioner seeks permission to start Arts, Science and Commerce College at Mahindale, Taluka and District Dhule. The said permission is rejected on the count that minimum required construction is not completed by the petitioner. This court had

directed re-measurement.

3. Mr. Hon, learned senior advocate for the petitioner on instructions submits that the petitioner would not engage in debate with regard to the construction required for Arts, Science and Commerce College. On instructions, he submits that at present the petitioner would not insist for commerce faculty and the proposal of the petitioner be considered for Arts and Science faculty. The Government Resolution dated 2nd September, 2013 requires minimum construction of 17200 Sq. feet for starting Arts and Science college. The learned senior advocate further submits that as per the specification of the respondents - authorities the construction work is completed as required for commerce faculty also, then the petitioner would apply for the commerce faculty in the next year.

4. Considering the above, we pass the following order-

ORDER

I] The respondents shall consider the proposal of the petitioner for grant of permission for Arts and Science faculty for the academic year 2018-2019.

II] If required, the respondents may inspect the site of the petitioner and satisfy itself of the minimum required construction for start of Arts and Science faculty and thereafter consider the proposal for grant of permission for Arts and Science faculty.

III] The same shall be done expeditiously and preferably by 15th May, 2018.

IV] The petitioner may renew his request for commerce faculty in the year 2019-2020, if the commerce faculty is available as per master plan and if the construction as is required is completed.

5. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

marathe