

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

WRIT PETITION NO. 7519 OF 2018

**SHRI SANT KAIKADI MAHARAJ SHIKSHAN SANSTHA PATHARDI
THROUGH SECRETARY ASHOK NARAY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.N.B.Patekar h/f Mr.A.G. Ambetkar, Advocate for the petitioner.

Mr.R.B. Bagul, AGP for the respondent/state

**CORAM : PRASANNA B. VARALE
& S.M.GAVHANE, JJ.**

DATED : 13.07.2018

P.C. :-

. Heard Mr. R.N.B. Patekar h/f Mr. A.G. Ambetkar, learned counsel appearing for the petitioner. He submitted that the petitioner is an institute and running various schools and colleges in the areas of district Ahmednagar, Beed, Aurangabad, Osmanabad and Mumbai. He also invited our attention to the list of the courses and colleges being run by the petitioner institute as referred to in para No.2 of the petition.

2. The learned counsel submitted that the petitioner institute was interested to start foundation course in Arts faculty and as the respondent No.3 which was also running the foundation course was unable to continue the course, on the backgdrop of lacking the infrastructural facilities. The petitioner by way of resolution of respondent No.3 accepted the responsibilities of respondent No.3 institute. The learned counsel invited our attention to Exh."A". The

resolution makes it clear that the respondent No.3 is handing over the foundation course to petitioner institute subject to approval of respondent No.2. The learned counsel then submitted that the proposal was submitted by respondent No.3 to respondent No.2. Then the learned counsel invited our attention to Exh."B" and submitted that the respondent No.2 by said communication permitted respondent No.3 institute to submit afresh proposal, in view of certain queries the learned counsel invited our attention to Exh."C". It is the proposal of the petitioner institute to respondent No.3 institute with a request to forward the proposal to respondent No.2. The Secretary of respondent No.3 in turn forwarded proposal to respondent No.2. The learned counsel then submitted that even the correspondence/communication is also issued by the petitioner institute to Secretary of respondent No.3 institute dated 18.07.2017. The learned counsel then submitted that the proposal of the petitioner institute is completed in all report and a copy of the proposal is also placed on record at page No.17.

3. The learned counsel then submits that the necessary documents are submitted, alongwith undertakings to submit that the petitioner institute is having all the infrastructural facilities so as to start the course. The learned counsel then submits that in spite of various requests made by the petitioner the proposal is not yet decided by the competent authority and his only grievance is that there is delay in decision on the proposal submitted by the petitioner institute. The submission is that inordinate delay in

decision may adversely affect the petitioner institute thereby loosing time and then result in getting the delayed admission for the course. On perusal of the material placed on record, we are of the opinion that the grievance raised in petition is of very limited nature and considering by submission made the counsel as well as documents placed on record, we are the opinion that the petition can be disposed of by issuing directions. Resultantly we dispose of the petition by issuing directions to respondent No.2 to take a decision on the proposal submitted by petitioner as expeditiously as possible and not later than eight weeks from the date of order of this Court, if the proposal is already not decided by respondent No.2.

4. Parties to act upon authenticated copy of this order.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]