

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

**CONTEMPT PETITION NO. 629 OF 2015
IN
WRIT PETITION NO. 9289 OF 2013**

Yuva Shikshan Prasarak Mandal.

Petitioner.

Versus

The State of Maharashtra and another.

Respondents.

Mr. M.P. Tripathi, Advocate for the petitioner.

Mr. N.T. Bhagat, A.G.P. for the State.

CORAM : **S.V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

Dated : **14th June, 2018.**

ORDER :-

1. Mr. Tripathi, learned Counsel for the petitioner submits that the petitioner had initially submitted the proposal for opening senior college at Terkheda, Taluka Washi, District Osmanabad in pursuant to the advertisement. The said proposal was rejected on 07.05.2012. The order was challenged by the petitioner by filing Writ Petition No.9289/2013 before this Court. This Court disposed of the said Writ Petition by directing the respondents to take decision on the proposal of the petitioner prior to commencement of the academic year 2015-2016, in case the petitioner submits fresh proposal. The petitioner immediately submitted fresh proposal,

however, respondent No.2 scrutinized of the proposal and belatedly recommended the proposal of the petitioner. Learned Counsel submits that the proposal of the petitioner has not been considered on merits by respondent No.1. The petitioner cannot be penalized for the delay caused with respondent No.2.

2. We have heard learned A.G.P.

3. It is not disputed that as a policy decision Government had not granted permission to any college for the academic year 2016-2017 on the ground that new master plan is to be prepared.

4. Learned Counsel for respondent No.2 submits that the master plan is in existence and the place where the petitioner had submitted proposal to start senior college is included in the master plan.

5. In view of the above, the petitioner may make a fresh proposal for the said purpose, which proposal would be considered within time by the respondents on its own merits and in accordance with law.

6. The Contempt Petition is disposed of. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S.V. GANGAPURWALA)
JUDGE