

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

WRIT PETITION NO. 11169 OF 2018

V S S COLLEGE THROUGH MEMBER PRASAD SHIBAJIRAO MADAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Shambhuraje V. Deshmukh
AGP for Respondent No. 1 : Mr. P.S. Patil
...

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 18th DECEMBER, 2018

Order :-

Heard. Mr. Deshmukh, learned counsel for petitioner submits that the petitioner has submitted proposals for grant of additional courses / divisions for the academic years 2015-16 and 2016-17. The Government did not decide the said proposals.

2. Mr. Patil, learned Additional Government Pleader submits that policy decision was taken by the Government not to grant any permission to Colleges / fresh courses for the academic year 2017-18 and the University was directed to prepare fresh perspective plan. The proposals of the petitioner were not recommended. In fact, it was with negative recommendation. The petitioner may file fresh proposal for the academic year 2018-19.

3. 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 petitioner starting 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 March, 2019. 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 March, 2019.

4. The Writ Petition stands disposed of. No costs.

[K. K. SONAWANE, J.]

[S. S. SHINDE, J.]

MTK