

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.100 OF 2017

Sachin S/o Ratan Shinde & another

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr. I.G. Durani advocate for the petitioners

Mr. S.B. Yawalkar Assistant Govt. Pleader for Respondent No.1 to 4

CORAM : **R.M. BORDE & K.K. SONAWANE, JJ**

(Date: March 5th, 2018)

PER COURT :-

1 The petitioners are objecting to the decision of the university to install the statue of Chhatrapati Shivaji Maharaj in the premises of the university.

2 On perusal of the record of the university, it appears that, merely a committee has been constituted for taking steps. The communication dated 25.4.2017 transmitted by the Registrar of the university to the local MLA indicates that a committee under the Chairmanship of the local MLA, consisting of the Registrar of the university and the Executive Engineer as one of the member, has been constituted for taking steps for erection of the statute. Our attention is invited to the Government Resolution dated

2.5.2017, which lays down certain guidelines for erection of the statue within the premises of the Government or semi Government institutions, so also by any individual, association or the institution within its premises. The guidelines laid down by the State Government would obviously bind the university also. The pre-requisite of securing permission of the Collector before taking steps for erection of the statue also apply to the university.

3 Learned AGP appearing for the State informs that, the Collector has not been approached by the University authorities, seeking permission for erection of the statue. As and when University forwards such proposal to the Collector, the Collector would be bound to take decision in terms of the policy decision taken by the State Government on 2.5.2017. It is thus clear that the instant petition presented by the petitioners is at a premature stage and therefore, does not deserve to be entertained. The Writ Petition is accordingly disposed of.

4 This Court, by order dated 10.11.2017, directed the petitioners to deposit a sum of Rs.1,00,000/- and in pursuance to the said direction, the petitioners have deposited the amount. It is informed that the petitioners are students, taking education and forfeiture of the amount deposited, may cause financial

hardships to them. Considering this aspect, we permit the petitioners to withdraw the amount deposited by them unconditionally.

(K.K. SONAWANE, J)

(R.M. BORDE, J)

vbd