

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

WRIT PETITION NO.566 OF 2019

Jai Jawan Jai Kisan Shikshan
Prasarak Mandal's
Swami Ramanand Tirth Information
and Technology College (B.A. & B.C.A.)
At Kandhar, Tq. Kandhar,
District Nanded
Through its Secretary
Dr. Sunil Balaji Dhondge,
Age: 46 years, Occ: Social Work,
R/o. Bhavani Nagar, Kandhar,
Tq. Kandhar, District Nanded. . .PETITIONER

VERSUS

The State of Maharashtra
Through the Secretary
for Higher and Technical
Education Department, Mantralaya,
Mumbai & anr ..RESPONDENTS

Mr Chandrakant A. Jadhav, Advocate for petitioner;
Mrs M.A. Deshpande, A.G.P. for respondent/State

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

DATE : 16th JANUARY, 2019

ORAL ORDER :

Heard learned Counsel appearing for the
petitioner.

2. The petitioner is a institute challenging

(2)

the communication issued by respondent No.2 i.e. the Swami Ramanand Teerth, Marathwada University, Ddnyanteerth, Vishnupuri, Nanded, District Nanded, Through its Registrar informing the petitioner that the University recommended to the State Government about de-affiliation of the college being run by the petitioner-institute and cancellation of recognition granted to the petitioner-institute. The petitioner-institute was further directed not to admit any student in the college for academic session for the year 2017-2018.

3. Though learned Counsel for the petitioner made an attempt to submit that the communication is unsustainable, perusal of the communication shows that by communication dated 16-05-2016, the petitioner-institute was already informed about the grant of de-affiliation and cancellation of the recognition and the petitioner was also informed that the petitioner can avail remedy of statutory appeal before the Hon'ble Chancellor, the petitioner failed to avail that remedy.

(3)

4. In view of this fact, learned Counsel for the petitioner prays for withdrawal of the petition with liberty to prefer an appeal before the Chancellor of the University. Without observing anything on the merits of the proposed appeal to be filed by the petitioner and leaving issue on maintainability of the appeal for consideration by the competent authority, writ petition is allowed to be withdrawn and disposed of, with liberty as prayed for.

(**S.M.GAVHANE**)
JUDGE

(**PRASANNA B. VARALE**)
JUDGE

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