

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

**REVIEW APPLICATION NO. 33 OF 2019
IN
WRIT PETITION NO. 9152 OF 2016**

Rajureshwar Shikshan Prasarak Mandal
Through its President Bhaskarrao
Dadarao Kolte .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri K. T. Shirurkar, Advocate for the Applicant.
Ms. Vaishali N. Jadhav Patil, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 15TH FEBRUARY, 2019.

FINAL ORDER :

. The writ petition filed by the petitioner was dismissed, wherein the petitioner had challenged the order of the Government. One of the ground agitated by Mr. Shirurkar, the learned advocate for the petitioner is that, the Government did not pass order before 15.06.2016. If that is the case, then the petitioner's proposal could not have been considered by the Government at all, however, the Government has rejected the proposal for start of new college. It was observed by the Government that the petitioner had constructed area of 1564

square feet only, whereas requirement is 20800 square feet.

2. The learned counsel submits that, the constructed area is 10212 square feet. Even if said contention is accepted, same is not in consonance with the Government Resolution prescribing constructed area of about 20800 square feet. The next contention is of relaxation of the condition for hilly/tribal area. The relaxation can be only to some extent. We have observed in para 5 of the order that, the Government is not bound by the recommendation of the university in view of Sec. 107, 108 and 109 of the Maharashtra Universities Act.

3. Considering the above, no case for review is made out. The review application is dismissed. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 19