

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

WRIT PETITION NO. 5086 OF 2019

Rajkumar Bahuuddeshiya Sevabhavi
Sanstha, Jalna through President
B. S. Dobhale .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Santosh S. Jadhavar, Advocate for the Petitioner.
Shri S. B. Yawalkar, Add. G. P. for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 18TH SEPTEMBER, 2019.

FINAL ORDER :

. Mr. Jadhavar, the learned counsel for the petitioner submits that, the petitioner has filed proposal for additional divisions. The university had given negative recommendation. The State Government did not accept the proposal and has returned back the proposal.

2. Mr. Yawalkar, the learned Additional Government Pleader submits that, as it was case of negative recommendations by the university, the proposal was returned back.

3. It is only the State Government who can grant or reject the permission for opening new college or additional divisions. The State Government is not bound by the recommendation of the university. However, it can consider the recommendations made by the university.

4. Considering the above, the State Government ought to have taken decision on the proposal forwarded to it one way or other instead of simply returning it back.

5. In the light of the above, the respondent No. 2 shall forward the said proposal along with negative recommendations to the Government within a period of two (02) weeks from the date of communication of this order to the respondent No. 2. On receipt of the said proposal, the respondent No. 1/State Government shall take decision upon it, expeditiously and preferably within a period of six (06) weeks from the date of receipt. The writ petitions accordingly are disposed of. No costs.

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 19