

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5235 OF 2018

ABHINAV BHARAT SHIKSHAN SANSTHA NANDED THROUGH ITS
SECRETARY K M JOSHI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioners : Mr. Godhamgaonkar A. G.

AGP for Respondent No. 1 : Mr. S. B. Narwade

Advocate for Respondent No. 2 : Mr. U. S. Malte

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 11th NOVEMBER, 2019

PER COURT:

1. The proposal submitted by the petitioner to start special college (PH) for deaf and dumb is turned down.

2. Mr. Godhamgaonkar, learned Advocate for the petitioner submits that on frivolous grounds the proposal of the petitioner has been turned down. The proposal of the petitioner was complete in all respects. The University has also recommended the said proposal. The State Government without

considering the fact that all the aspects are complied, has rejected it on technical grounds.

3. We have asked Mr. Malte, learned Advocate for the respondent / University as to whether the location on which the petitioner had applied to open the special college (PH) for deaf and dumb finds place in the perspective plan of the academic year 2020 – 2021. Mr. Malte, learned Advocate for the University , on instructions, submits that the said location, and the special college the petitioner had applied for finds place in the perspective plan for the academic year 2020 – 2021. However, Mr. Malte, learned counsel for the respondent / University submits that the last date for filing an application for grant of permission for the academic year 2020 – 2021 was 30.09.2019.

4. The writ petition is pending since June-2018. As the location where the petitioner had applied and the course which the petitioner had to start

finds place in perspective plan for the academic year 2020 – 2021, we pass the following order.

5. The petitioner may submit the proposal complete in all respects to the respondent / University to start special college (PH) for deaf and dumb at Nanded within a period of seven (07) days from today. The University on receipt of the said proposal shall forward the same to the State Government on or before 30.11.2019 as per the schedule permitted under the Maharashtra Universities Act, 2016 with its recommendations. The State Government on receipt of the same shall take decision upon it on its own merits within the time stipulated under Section 109 of the Maharashtra Universities Act, 2016.

6. With these observations, writ petition stands disposed of. No costs.

7. Authenticated copy be given.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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