

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

WRIT PETITION NO. 8379 OF 2019

Godavari Shikshan Santha Talegaon
Through its President .. Petitioner

Versus

The State of Maharashtra and another.. Respondents

Shri Govindr R. Ingole, Advocate for the Petitioner.

Shri P. B. Borade, A.G.P. for the Respondent No. 1.

Shri K. P. Rodge, Advocate h/f Shri P. G. Rodge, Advocate for the Respondent No. 2.

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

DATE : 25TH SEPTEMBER, 2019.

FINAL ORDER :

. The proposal of the petitioner for opening the Diploma Course in Animal Livestock Management and Dairy Production is rejected.

2. The learned advocate for the petitioner submits that, that the petitioner had filed proposal along with demand draft of Rs. 25,000/- complete in all respect. The petitioner never received any communication from the respondents thereby communicating the petitioner about any deficiencies. The

petitioner possess all the necessary infrastructure. As the petitioner did not receive any notice communicating the deficiencies, the petitioner could not file any explanation. According to the learned counsel, the respondents be directed to consider the proposal afresh. The petitioner is ready to submit all the necessary documents.

3. The learned counsel for the respondent No. 2 submits that, twice letters were issued to the petitioner. The petitioner did not communicate. There were large scale deficiencies, such as non existence of 10 acres of land in the name of the petitioner society, non existence of 2.5 acres irrigated land. The documents of ownership also were not filed on record. The petitioner also did not file any document showing necessary steps and the other articles, furniture, books, etc. The documents showing purchase of animals also was not filed, as such the proposal was eventually rejected and the same was also communicated on 07.06.2019.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. Now the proposal of the petitioner cannot be considered for this academic year. The deficiencies are referred by the respondent No. 2. The deficiencies are with regard to necessary infrastructure, such as ownership of 10 acres of land, 2.5 acres of

irrigated land not in the name of the petitioner society and other deficiencies as pointed in the affidavit in reply. The 7/12 extract filed on record appears to be in the name of individual.

6. Be that as it may, we may not enter into the disputed questions of fact as to whether notice was served upon the petitioner or not. No fruitful purpose would be served. The order itself says that, if fresh advertisement is issued, the petitioner may apply.

7. In the light of the above, the writ petition is disposed of. The petitioner would be at liberty to apply if fresh advertisement is issued by the respondent No. 2. No costs.

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 19