

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

WRIT PETITION NO. 9069 OF 2019

Sai Sakal Shikshan Prasarak Mandal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. R. Kolhare, Advocate for the Petitioner.

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

Shri Sambhaji S. Tope, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.**

DATE : 04TH DECEMBER 2019.

FINAL ORDER :

. Heard Mr. Kolhare, the learned advocate for the petitioner. According to the learned advocate for the petitioner, the respondent No. 1 be directed to decide the application of the petitioner for opening new college from the academic year 2019-2020 at village Amba, Tq. Kannad in Arts, Commerce and Science faculty. According to the learned counsel, said area is tribal and hilly area.

2. Mr. Tope, the learned advocate for the respondent No. 2/university submits that, the petitioner has never made any application to the university within the stipulated time and has directly approached the State Government.

3. Section 109 of the Maharashtra Universities Act lays down

the stipulation as to the time within which various steps are to be undertaken. The application has to be filed on or before the specified date i. e. 30th September of the said year to the university. The university has to process the said proposal and forward it to the State Government along with its recommendations on or before 30th November of the said year.

4. It appears that, the petitioner has not approached the university within the time as stipulated and the university did not take action to process the same and forward it to the State Government by 30th November.

5. In the light of that, the grievance of the petitioner, certainly, cannot be considered. It is submitted that, for the academic year 2020-2021 village Amba, Tq. Kannad does not find place in the perspective plan. In case the location where the petitioner wants to start the college is included in perspective plan, then the petitioner may apply as per the provisions of Section 109 of the Maharashtra Universities Act.

6. In view of the above, the writ petition is disposed of. No costs.

[AVINASH G. GHAROTE, J.]

[S. V. GANGAPURWALA, J.]