

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

963 WRIT PETITION NO.9657 OF 2019

SANJAY EDUCATION SOCIETYS INSTITUTE OF PHARMACY
BAPALUR THROUGH ITS VICE CHAIRMAN ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Shailesh P. Bramhe, Advocate for the
Petitioner.

Mr. S. B. Yawalkar, AGP for Respondents-State.

Mr. S. V. Adwant, Advocate for Respondent No.3.

Mr. Sanjeev B. Deshpande, ASG for Respondent No.4.

Mr. S. G. Karlekar, Advocate for Respondent No.5.

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

DATED : 21st AUGUST, 2019.

PER COURT:-

1. The petitioner is placed in no admission category basically on the ground that the petitioner does not possess the completion certificate and/or approved building.

2. Mr. Brahme, learned counsel for the petitioner submits that initially when the construction was carried out, the premises of the petitioner was within the limits of grampanchayat. Subsequently, because of extension of limits of the Municipal Corporation, Dhule, the said place has

come within the limits of Dhule Municipal Corporation. On 09.08.2019 certificate is issued for occupancy of the said premises by the Dhule Municipal Corporation, Dhule. The same is placed on record.

3. Mr. Adwant, learned counsel for AICTE on instructions submits that the petitioner may produce the said certificate before the SAC on 22.08.2019 and SAC shall forward its report to the AICTE on the very day and on 22.08.2019 AICTE would take decision with regard to the intake capacity of the petitioner and also extension of approval for the academic year 2019-2020.

4. In view of the said statement, petitioner/its representative shall appear before SAC and produce the documents on which the petitioner relies on 22.08.2019. The SAC on the same day shall forward its recommendation to AICTE and AICTE shall take decision afresh on 22.08.2019. It is submitted that the decision taken by the AICTE will be uploaded immediately.

5. Parties to act on authenticate of this order.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE