

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

WRIT PETITION NO. 10569 OF 2019

Rajkunwar Bahhuddeshiya Sevabhavi
Sanstha Aurangabad Through its
President .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

WITH

WRIT PETITION NO. 10574 OF 2019

Rajkunwar Bahhuddeshiya Sevabhavi
Sanstha Aurangabad Through its
President .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 10580 OF 2019

Rajkunwar Bahhuddeshiya Sevabhavi
Sanstha Aurangabad Through its
President .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Santosh S. Jadhavar, Advocate for the Petitioner in all matters.

Shri S. B. Pulkundwar, A.G.P. for Respondents/State in all matters

**CORAM : S. V. GANGAPURWALA AND
ANIL S. KILOR, JJ.
DATE : 27TH AUGUST, 2019.**

FINAL ORDER :

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

2. Mr. Pulkundwar, the learned Assistant Government Pleader submits that, as it was case of negative recommendations by the university, the proposals were 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 proposals 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 proposals 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 proposals, 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/August 19