

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11258 OF 2019

KAI BAPUSAHEB PUNDLIK KALU PATIL BAHUUDDESHIYA
SHIKSHAN SANSTHA, GUDHE
THROUGH ITS SECRETARY
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr. Jadhavar Santosh S.
AGP for Respondent / State : Mr. P. G. Borade

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CORAM: S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE: 13th SEPTEMBER, 2019

PER COURT:

1. Mr. Jadhavar, learned counsel for the petitioner submits that the petitioner has filed proposal for opening of new Arts, Science and Commerce Women's College at Bhadgaon, District - Jalgaon. The University had given negative recommendations. The State Government did not accept the proposal and has returned back the proposal.

2. Mr. Borade, the learned Assistant Government Pleader submits that, as it was case of negative recommendations by the University, the proposal was 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 proposal forwarded to it either one way or other instead of simply returning it back.

5. In light of the above, respondent no. 2 shall forward the said proposal along with negative recommendations to the Government within a period of two (02) weeks from the date of communication of this order to respondent no. 2. On receipt of the said proposal, 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.

6. The writ petition is disposed of accordingly.

No costs.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]

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