

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11479 OF 2019

RAJURESHWAR SHIKSHAN
PRASARAK MANDAL
TAKLI BHOKARDAN THROUGH
PRESIDENT

...PETITIONER

VERSUS

THE STATE OF MAHRASHTRA
AND ANOTHER

...RESPONDENTS

Mr. S.S. Jadhavar, Advocate for Petitioner
Mr. A.B. Girase, Government Pleader for Respondents-State
Mr. S.S. Thombre, Advocate for Respondent No. 1

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

DATE : 19th SEPTEMBER, 2019

ORAL ORDER:

1. Mr. Jadhavar, the learned counsel for the petitioner submits that, the petitioner has filed proposal for additional divisions. The university had given negative recommendation. The State Government did not accept the proposal and has returned back the proposal.
2. Mr. Girase, the learned 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 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 proposal 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 proposal, 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 petition accordingly is disposed of. No costs.

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

mta