

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10242 OF 2016

INDIRA GANDHI SHIKSHAN PRASARAK MANDAL,
THROUGH ITS PRESIDENT,
SHAIKH HABIB SHAIKH NAJIR
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY,
HIGHER AND TECHNICAL EDUCATION DEPARTMENT,
MANTRALAYA, MUMBAI

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Advocate for Petitioner : Mr. Thombre S. S.
AGP for Respondents: Mr. K. B. Jadhavar

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 28th FEBRUARY, 2019

PER COURT :

1. The petitioner assails the order dated 28.07.2016, thereby negating claim of the petitioner for starting of Arts and Science college at Hasnabad, Taluka – Bhokardan, District – Jalna.

2. We have heard the learned counsel for the petitioner.

3. Under Section 109 of the Maharashtra Universities Act, 2016 (*hereafter referred to*

'Act-2016') the time scheduled is prescribed. In view of that, now it would not be possible to consider the proposal submitted by the petitioner for the year 2015 - 2016.

4. The petitioner may submit the proposal for academic year 2020 – 2021 as per the time frame prescribed under the provisions of Section 107 to 109 of the Act-2016. Upon receipt of the proposal, the University shall consider the said proposal on its own merits and forward it with its recommendations in accordance with law to the State Government within the time schedule prescribed under the Act-2016 and the State Government shall thereafter decide it within the stipulated time. Of course, the petitioner will be entitled to submit the proposal only if the place where the petitioner intends to start the college finds place in the perspective plan for the year 2020 – 2021.

5. Writ Petition stands disposed of accordingly.
No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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