

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD  
11 WRIT PETITION NO.11417 OF 2018**

RAJKUNWAR BAHHUDESHIYA SEVABHAVI SANSTHA JALNA  
THROUGH PRESIDENT ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER..RESPONDENTS

...

Mr. Santosh S. Jadhavar, Advocate for the  
Petitioner.

Mr. S. B. Yawalkar, AGP for Respondent No.1.

Mr. M. P. Kale h/f Mr. K. M. Suryawanshi, Advocate  
for Respondent No.2.

...

**CORAM : S. V. GANGAPURWALA &  
AVINASH G. GHAROTE, JJ.**

**DATED : 06<sup>th</sup> NOVEMBER, 2019.**

**PER COURT:-**

1. Mr. Jadhavar, learned counsel for the petitioner submits that the proposal submitted by the petitioner of opening new Arts, Science and Commerce college at village Hiwra-Rala, Taluka Badnapur, District Jalna has been erroneously rejected on the ground of non-submission of NAAC Accreditation. The same was not required, as it was new course to be commenced. The State has also accepted the said fact in the affidavit.

2. The learned counsel submits that again fresh advertisement has been issued for the Academic Year 2020-2021 for starting Arts, Science and Commerce college at Hiwra-Rala, Taluka Badnapur, District Jalna. The petitioner has

applied pursuant to the same and the University has also given positive recommendation.

3. Mr. Kale, learned counsel appears for respondent no.2 and accepts that the proposal of the petitioner has been recommended for starting new Arts, Science and Commerce college for the Academic Year 2020-2021.

4. In light of the above, we need not go into the merits of the contention for rejection of the proposal for the Academic Year 2019-2020. The affidavit-in-reply is filed by the Joint Director Higher Education, Aurangabad Region, Aurangabad. Paragraph 7 of the affidavit-in-reply reads thus:

"I say and submit that, as per the norm No.2.3 (c) of the G.R. dated 15<sup>th</sup> Sept. 2017 the petitioner submitted an application of NAAC Accreditation and therefore the petitioner's proposal was eligible. However for the place at Hivra (Rala) the permission was granted to the aforesaid Sanstha /Institute on merit and therefore the permission was not granted to the petitioner's proposal."

5. It was accepted that the petitioner has submitted application for NAAC Accreditation and therefore the petitioner's proposal was eligible. However, as another institute was granted permission, the petitioner's claim was not considered.

6. As now, for the Academic year 2020-2021, the petitioner's proposal is already recommended by

the University and advertisement was issued by the University inviting proposal for start of new Arts, Science and Commerce college at Hiwra-Rala, Taluka Badnapur, District Jalna, the State Government shall decide the proposal of the petitioner for start of Arts, Science and Commerce college within a period stipulated under the provision of Maharashtra Universities Act.

7. With these observations, writ petition is disposed of. No costs.

**(AVINASH G. GHAROTE)**  
**JUDGE**

**(S. V. GANGAPURWALA)**  
**JUDGE**