

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

WRIT PETITION NO. 11641 OF 2019

**MITRASADHANA SHIKSHAN PRASARAK MANDAL
VERSUS**

THE STATE OF MAHRASHTRA AND ANOTHER

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Advocate for Petitioners : Mr. Choukidar S. R.

AGP for Respondent No. 1 : Mr. P. G. Borade

Advocate for Respondent No. 2 : Mr. S. S. Thombre

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

DATE: 18th DECEMBER, 2019

PER COURT:

1. Mr. Choukidar, the learned counsel submits that on erroneous ground the proposal of the petitioner for start of additional division has been rejected. The respondents have considered the requirement as if the petitioner has applied for starting the new course. According to the learned counsel, the petitioner is already running college and has NAAC accreditation also. The permission was sought for only third additional division. The learned counsel further submits that the petitioner is only required to comply the requirements as per clause 2 of the Government Resolution dated 04.07.2017. The same has been complied.

2. We have heard Mr. Thombre, the learned counsel for the University and the learned A.G.P.

3. For start of additional division, clause 2 of the Government Resolution dated 04.07.2017 would be required to be complied with along with the requirements under Annexure A and B of the said Government Resolution. Clause 2, it appears, gives some latitude to the institution to comply the conditions within six months.

4. In the light of above, we quash and set aside the impugned order and relegate the matter before the State Government. The State Government shall consider Clause 2 of the Government Resolution dated 04.07.2017 along with its annexures and take decision afresh, expeditiously and preferably within a period of three (03) months.

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

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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