

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

WRIT PETITION NO. 13877 OF 2018

Kisan College of IT and Agriculture
dharur Through Principal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Santosh B. Bhosle, Advocate for the Petitioner – absent.
Mrs. A. V. Gondhalekar, Addl.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.
DATE : 04TH DECEMBER, 2019.**

FINAL ORDER :

. The petitioner is challenging the notice dated 03.04.2017 issued by the respondent No. 3.

2. Affidavit is filed by the Assistant Commissioner Social Welfare Beed. Para Nos. 3 and 4 of the affidavit reads thus :

“3. I say and submit that, the said notice speaks about the recovery of scholarship on one hand and on the other hand about taking criminal action against the institute. However, some irregularities and deficiencies such as non submission of parents income certificate by student, admission of students on the basis of duplicate transfer certificate, admission of students who had left for another professional course in mid way, distribution of excess scholarship under head of other fees and excess maintenance and allowances etc., were found and realised. However, it is submitted that, the suitable action will

be taken only after giving each Petitioner institute an opportunity of hearing.

4. I say and submit that, so far as this Writ Petition is concerned, the amount of Rs. 14,88,368/- was shown as recovery in the report of Special Investigation Team and the same has been deposited by the institution via challan No. 111 dt. 3.5.2015 and challan No. 112 dated 5.5.2015.”

3. As the respondents have stated on affidavit that, if any action is to be taken against the petitioner, the petitioner institution would be given an opportunity of hearing. As such, no further orders are required. In case the petitioner is aggrieved by the decision taken, then the petitioner would be at liberty to assail the same.

4. In view of the above, the writ petition is disposed of. No costs.

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