

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 1014 OF 2018**

SHIV SEVABHAVI SANSTHA VASANTNAGAR NANDED
THROUGH SECRETARY ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS
..RESPONDENTS

Mr. Mahesh V. Ghatge, Advocate for the Petitioner.
Mr. S. K. Tambe, Advocate for Respondent-State.
Mr. A. D. Aghav, Advocate for the Respondent No.2.

**CORAM : DIPANKAR DATTA, CJ &
S. V. GANGAPURWALA , J.**

DATE : SEPTEMBER 16, 2020.

ORDER :

1. Mr. Ghatge, learned counsel for the petitioner submits that the petitioner has submitted proposal for grant of permission to start Arts and Commerce Senior College at Chudawa, Tq. Purna, Dist. Parbhani. Some discrepancies were pointed out. The petitioner rectified the deficiencies. The positive report was submitted by the Board to the State Government. The State Government again raised queries on the same line. The proposal is not considered. The petitioner prayed for reconsidering the proposal for the next Academic Year i.e. 2018-2019 or refund the process fees. The prayers are rejected by the respondents. The learned counsel submits that he is not at fault. The respondents be directed to consider the proposal for the Academic Year 2021-2022.

2. The proposal to start new college can be considered only if site for which the application is made finds place in the master plan. The master plan is required to be prepared by the University for five years. There are other requirements to be complied. The time frame under Section 109 of the Maharashtra Universities Act is sacrosanct. The same has to be abided with. The Universities Act has undergone amendment.

3. In light of the above, it would not be possible to consider the request of the petitioner to direct the respondents to consider the proposal for the Academic Year 2021-2022. The petitioner if so desires may file fresh proposal with the University within the time frame provided by the Statute.

4. As far as refund of the amount is concerned, the petitioner may make an application to the University. The University may consider the said application on its own merits.

5. Writ Petition is disposed of. No costs.

(S. V. GANGAPURWALA, J)

(CHIEF JUSTICE)

Devendra/September. 20