

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5175 OF 2020

Late Yashwant Baliram Patil
Shikshan Prasarak Mandal, Tala,
Tal. Erandol, Dist. Jalgaon,
Through President
Prabhakar Yashwant Patil

...Petitioner

Versus

Union of India and Ors.

...Respondents

Mr V.B. Patil, Advocate for Petitioner
Mr A.B. Dhongade, Advocate for Respondent Nos. 1 and 2
Mr S.B. Pulkundwar, A.G.P. for Respondent Nos. 3 to 5

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 9th OCTOBER, 2020

PER COURT :

1. Mr Patil, the learned Counsel for the petitioner submits that the petitioner is issued with the letter of intent by the State Authority to start I.T.I.. The petitioner approached respondent No. 2 for inspection. The petitioner also has filled-in the application and the documents with the respondents. However, it was stated that stage-III form is not complete. The learned Counsel submits that the petitioner has filled-in the stage-III form. However, again the petitioner on or about 28th June, 2020 forwarded the bills of the machineries and the infrastructure. The limited request made by the petitioner is seeking direction against the respondents to effectuate

inspection of the petitioner-college for the grant of affiliation for the academic year 2020-2021. The learned Counsel submits that on 28th September, 2020, the respondent has issued a letter directing the institutions to pay Rs. 35,000/- as the fees for inspection for grant of affiliation. The petitioner is ready to pay the fees. The respondent be directed to conduct the inspection of the petitioner-institution.

2. Mr Dhongade, the learned Counsel for the respondent Nos. 1 and 2 submits that it is only those I.T.I. applicants, fulfilling all the stage-III forms, are considered for the current sessions of 2020 affiliation. The petitioner has not completed the stage-III. As such, is not considered in the current scrutiny process for affiliation. The learned counsel submits that, 18.04.2020 was the last date of submitting completed applications. The petitioner failed to submit the application within the stipulated period.

3. We have considered the submissions. As far as time frame stipulated by the respondent, this Court would not interfere with the time frame.

4. It appears that the petitioner did not fill-in stage-III form and it was in June, 2020, the petitioner forwarded the same. The last date for submitting the completed form was 18.04.2020. The petitioner's application appears to be incomplete for stage-III on 18.04.2020. As per the respondents, incomplete stage-III application

was filed, information is not given and few tables are kept blank. The Affiliation Norms 2018 are required to be followed by all the institutions.

5. It appears that the petitioner has submitted subsequent bills in June, 2020. It appears that in April and May, 2020, the country was witnessing total lock-down. The respondents may consider the said aspect.

6. In case the petitioner had subsequent in June, 2020 completed the stage-III form and the inspections of other institutions have not been conducted till date, then the respondents may consider the case of the petitioner for inspection along with other institutions for grant of affiliation for the current sessions 2020.

7. We make it clear that we are not issuing any directions against the respondents. We are only suggesting that considering the lock-down, if it is possible for the respondents to consider the request of the petitioner for inspection and affiliation for the academic year 2020, they may do so.

8. Writ petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S.V. GANGAPURWALA, J.]