

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

**907 CIVIL APPLICATION NO.1313 OF 2021
WITH
REVIEW APPLICATION STAMP NO. 540 OF 2021**

**SANJAY SHIKSHAN SANSTHA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicant: Mr. Dodya S. G.
AGP for Respondents/State: Mr. K. N. Lokhande

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

DATE: 29th JANUARY, 2021

PER COURT:

1. Mr. Dodya, the learned Counsel submits that the present Review Applicant was issued with the Letter of Intent and he had the time in hand to remove the deficiencies. After the Letter of Intent was issued University has also recommended the proposal of the petitioner for final sanction. The Review Applicant was never made aware of the deficiencies involved in the proposal. When the final recommendation was made by the University the applicant was under impression that no deficiencies exist. According to the learned

Counsel, if the permission is granted, then the stipulation of time would not survive. The learned Counsel further submits that the requirement of registered Lease Deed or Fixed Deposit under Scheduled Bank is not condition precedent for grant of permission.

2. We have considered the submissions canvassed by the learned Counsel for the respective parties.

3. Writ Petition filed by the present non applicant was allowed basically on two grounds -

(i) The Review Applicant did not submit the registered Lease Deed of 3 acres of the land
and

(ii) The Review Applicant did not submit the Fixed Deposit receipt of the Nationalised Bank.

4. The present Review Applicant was issued with the Letter of Intent on 31.01.2019. The Review Applicant had time up to 31.01.2020 to remove the deficiencies. It was observed by us under the

judgment sought to be reviewed that the review applicant did not possess Fixed Deposit in a Scheduled Bank; his fixed deposit was in a Co-operative Bank, the same was not a Scheduled Bank. We also considered that the present review applicant could not submit the registered Lease Deed for 3 Acres of the land within the time stipulated. The Review Applicant had submitted Lease Deed of only 81 Are land. The Lease Deed was also registered subsequently. On these grounds we have disposed of the petition and passed the judgment under Review.

5. The Review applicant could not demonstrate that there was an error apparent of record.

6. In light of that, no ground for review is made out.

7. Review Application with civil application are disposed of.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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