

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

Karmaveer Shikshan Prasarak Mandal, Rimoh PETITIONER

VERSUS

The State of Maharashtra and Others RESPONDENTS

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Mr. S. S. Thombre, Advocate for the petitioner
Mr. P. S. Patil, AGP for respondent - State
Mr. V.P.Golewar h/f Mr. A.R.Joshi, Advocate for respondent No. 2

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[CORAM : DIPANKAR DATTA, CJ &
RAVINDRA V. GHUGE, J.]

DATE : JUNE 18, 2021

ORDER :

1. Savitiribai Phule Pune University, (hereafter "the University") by its notification dated December 22, 2020 invited proposals from interested institutions to open and run colleges for the academic year 2021-2022. The proposals were required to be submitted on-line by December 31, 2020.
2. The petitioning trust submitted its proposal on January 7, 2021. It was submitted off-line.
3. The Academic Council of the University considered the proposal and rejected the same on the twin grounds that the proposal had been received beyond December 31, 2020 and also

that the proposal had not been submitted on-line. However, it was also decided to refund the money deposited by the petitioning trust at the time of submission of the proposal. A communication to this effect was forwarded to the petitioning trust by a letter dated February 25, 2021, which forms the subject matter of challenge in this writ petition.

4. We need not enter into the broader issue as to whether submission of the proposal off-line could have led to rejection of the proposal, having regard to the first ground of rejection. Sight cannot be lost of the fact that the petitioner did not submit the proposal by the last date mentioned in the notification. We consider this to be sufficient ground to empower the University to reject the proposal and refund the money deposited by the petitioning trust.

5. In this connection, we consider it appropriate to refer to a decision of a Division Bench of this Court dated January 16, 2019 in Writ Petition No. 13870 of 2018 with connected matters, wherein it has, *inter alia*, been held as follows:

"The cut off date mentioned under Section 109 of the Maharashtra Public Universities Act, 2016 is sacrosanct. The cut off date has to be respected."

6. The impugned decision is unexceptionable and,

accordingly, does not deserve any interference. The writ petition stands dismissed, without any order as to costs.

[RAVINDRA V. GHUGE, J.]

[CHIEF JUSTICE]

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