

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

948 WRIT PETITION NO.1204 OF 2021

DEEPSHOBHA SEVABHAVI SANSTHA, KHANDALI, THR ITS TREASURER
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioners : Mr Jadhavar Santosh S.
AGP for Respondents State: Mr. P. K.Lakhotiya

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

DATE : 21st January, 2021

ORDER:

1. Mr. Jadhavar, the learned Advocate submits that the proposal is moved in the year, 2011 for permission to run a new college. No decision has been taken upon it. Subsequently, in 2011, pursuant to the new notification, the petitioner submitted the proposal. Respondent No.2 forwarded the proposal in May, 2012 with negative recommendation. However, Respondent No.1 has not taken any decision upon the proposal of the petitioner.

2. According to the learned counsel, the State Government be directed to take decision upon it. The State Government can even consider the proposal with negative recommendation of the University.

3. Mr. Lakhotiya, the learned A.G.P. appears for respondent No.1.

4. The proposal of the petitioner is of the year 2011. The present status will have to be considered. Prevalence of the location for opening college as per master plan, compliance of the provisions of the Maharashtra Public University Act, 2016 and the executive instructions

issued from time to time are to be considered. No purpose would be served by directing the State Government to consider the proposal submitted in the year 2011.

5. The petitioner may submit fresh proposal in case the said location finds place in the master plan, within time frame as laid down in Section 107 and 108 of the University Act, 2016.

6. In case, the proposal is submitted, the respondents shall consider it within the time frame stipulated in the Statute.

7. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC