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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 5540 OF 2014

Bab-E-Rehmat Educational Trust's St.
Mary's Degree College (Regd) ... Petitioner
Vs
State of Maharashtra & Ors. ... Respondents

Mr.C.K.Thomas i/b C.K.Thomas and Associates for the Petitioner
Mr. S.B.Kalel AGP for Respondent Nos.1 and 2.
Mr. R.A.Rodrigues advocate for Respondent No.3.

**CORAM : R. D. DHANUKA &
ABHAY AHUJA, JJ.**
DATE : 9th SEPTEMBER, 2021

Oral Order :

Rule. By consent of parties, heard finally.

2. Heard learned counsel for parties. By this petition, the petitioner impugned the order dated 11th March, 2014 passed by respondent No.1 and communication dated 28th March, 2014 by respondent No.3 rejecting the petitioner's application dated 25th October, 2012 for starting new College (B.A., B.Sc. & B.Com) from the academic year 2013-14.

3. Since no interim relief was granted, this petition has become infructuous in the light of Academic year 2013-14 having

gone by, as well as the statement in paragraph 8 of the affidavit-in-reply of respondent No.3. We, however, make it clear that this order shall not come in the way of the petitioner, making an application for starting Degree College for subsequent years as per perspective compliance. The Writ Petition is accordingly disposed of with no order as to costs.

4. If any such application will be filed by the petitioner for the subsequent years, the same shall be decided by the respondents on its own merits without being influenced by this order or the impugned order in this Writ Petition.

(*ABHAY AHUJA, J.*)

(*R. D. DHANUKA, J.*)