

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No. 4435/2019

Swami Vivekanand Shikshan
Prasarak Bahhudeshiya Sanstha

... Petitioner

Versus

State of Maharashtra and anr.

... Respondents

Shri P.B. Patil , Advocate for the Petitioner
Shri Amit Madiwale, AGP for Respondent No. 1 - State
Shri S.S. Ghate, Advocate for Respondent No. 2

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 13 JANUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. The Petitioner had applied for proposal to start a Senior College pursuant to the Perspective Plan issued by Respondent No. 2 University on 30 August 2018. The proposal of the Petitioner was rejected by order dated 07 February 2019 on the ground that there were certain shortfalls and deficiencies in the proposal. The Petitioner has challenged the said order.

3. The learned Counsel for the Petitioner submits that the shortfalls which have been pointed out have been removed by the Petitioner while the Petition was pending.

4. Since, the Petitioner was desirous of participating in process initiated on 18 December 2020 by the Respondent – University, the Petitioner filed a Civil Application No. 1466/2020 in which permission was granted to the Petitioner to participate in the process subject to the rights and the contentions of the Petitioner in the Petition.

5. Learned Counsel for the Petitioner submitted that the Petitioner has already submitted his application which is under consideration.

6. As far as the Petition is concerned, since it is the case of the Petitioner that the Petitioner has removed the shortfalls which position will have to be examined by the Respondents, we dispose of the Petition directing the Respondents to take a fresh decision as per law in respect of the petitioner's proposal taking into consideration the assertion of the Petitioner after examining whether shortfalls / deficiencies are removed.

7. The Respondents will take necessary decision as per the law within a period of four weeks.

8. The Writ Petition is disposed of in the above terms.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]