

(1)

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

913 WRIT PETITION NO.4311 OF 2022

JANTA SHIKSHAN PRASARAK MANDAL WOMENS B.ED
COLLEGE THROUGH ITS TREASURER AJIJ SHAMAD
PATHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr T. Y. Sayyed, Advocate for petitioner;
Mr S. G. Sangle, A.G.P. for respondents/State
Mr N. S. Tekale, Advocate for respondent Nos.2 & 3

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 23rd September, 2022

PER COURT:

1. The petitioner has put forth prayer clauses (B), (C), (D) and (E), which read as under :-

“B. By issuing a Writ of Certiorari and or any other appropriate writ, order and/or direction in the like manner the order dt.19/12/2020 at Exhibit – D passed by the Western Regional Committee, N.C.T.E. may kindly be quashed and set aside.

C. To hold and declare that in pursuance of the order dated 30/06/2021 at Exhibit – F the withdrawal order dated 19/12/2020 stands quashed and Petitioner college be issued an order of restoration of recognition along with consequential remedies.

(2)

D. By issuing Writ of Mandamus and or other appropriate writ order, order and/or direction in like manner Respondents may kindly be directed to allow the Petitioner College to permit B.Ed. admissions/counselling for the academic year 2021-2022.

E. Pending hearing and final disposal of this petition, the execution and implementation of the order dt.19/12/2020 at Exhibit – D passed by the Western Regional Committee, N.C.T.E. may kindly be stayed.”

2. This matter was heard for sometime. The learned Advocate for the petitioner submits that, the order is passed by respondent No.3, dated 30/06/2021, directing respondent No.2, to initiate appropriate action, after considering the entire record comprising of memorandum of appeal, affidavit, documents on record and decide the issue within 15 days. Respondent No.2, despite receiving the order dated 30/06/2021, has still not decided the issue pertaining to withdrawal of recognition, which order was said to have been passed without hearing the petitioner.

3. The learned Advocate representing respondent Nos.2 and 3 submits on instructions that, respondent no.2 would decide the pending remanded proceedings, on or before 21/10/2022, keeping in view that, pursuant to the show cause notice, the petitioner has already tendered a reply and the pleadings are complete.

(3)

4. In view of the above, this petition is disposed off, with a direction to respondent No. 2, to decide the said proceedings, on or before 21/10/2022, on it's own merits.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk