

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

937 WRIT PETITION NO.8749 OF 2021

**SHREE DEVDATTA SEVABHAVI SANSTHA THR ITS ADMINISTRATIVE
OFFICER KALYA DNYANOBA WADMARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Kamble Shirish M.

AGP for Respondents : Mr. P.K. Lakhotiya

Advocate for Respondent No.4 : Mr. S.S. Tope

Advocate for Respondent No.5 : Mr. S.A. Wakle

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**CORAM : A.S. GADKARI &
S.G. MEHARE, J.J.**

DATED : 09th FEBRUARY, 2022

PC.:-

1. Mr. Ganesh Gangaram Warvade, Secretary of respondent no.5 has filed affidavit dated 15.09.2021. To the said affidavit, a letter dated 13.09.2021 signed by him and addressed to the Registrar of the respondent no.4 – University is annexed. In the said letter, respondent no.5 has categorically stated that, they are unable to provide basic infrastructure for establishing the said college and therefore, Letter of Intent issued by the respondent no.1 be cancelled. It is further stated that, at Nirgudi, Taluka Patoda, District Beed, if Letter of Intent is granted to any other institution, respondent no.5 will not be having any objection for the same.

2. In view thereof, the grievance of the petitioner that Letter

of Intent/Recognition dated 17.05.2021 issued in favour of respondent no.1 has wrongly been issued is redressed and prayer clause (B) of petition further does not survive.

3. As far as prayer clause (C) is concerned, learned counsel for respondent no.4 – University brought to our notice that by communication dated 26.02.2021 addressed by the Registrar of respondent no.4 to the respondent no.1, the deficiencies of the petitioner have been brought to its notice. It is the reason for not granting Letter of Intent or permission to the petitioner for opening a college at Nirgudi, Taluka Patoda, District Beed has been highlighted.

In view thereof, the petitioner is having independent remedy for seeking approval/Letter of Intent in it's favour.

4. The cause of action for filing present petition hereinafter does not survive and is accordingly disposed off.

(S.G. MEHARE. J.)

(A.S. GADKARI, J.)