

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12000 OF 2019
WITH
INTERIM APPLICATION NO. 365 OF 2022

Abhinav Education Society, through
Chairman Sandeep V. Chinchangi ... Petitioner.
V/s.

The State of Maharashtra, through
Principal Secretary, Department of
Higher & Technical Education & Another ... Respondents.

Mr. Vivek Patil, with Mr. Makrand Kale, i/b Vivek Patil &
Associates, for the Petitioner.

Mrs. M.S. Srivastava, AGP, for the Respondent-State.

**CORAM : NITIN JAMDAR AND
AMIT BORKAR, JJ.**

**DATE : 31 JANUARY 2022.
(Through Video Conferencing)**

P.C. :

This Writ Petition is filed challenging communication dated 22 March 2019 issued by Respondent Nos. 2 – University. The Petitioner had applied for opening of a new college for the academic year 2019-2020. By the impugned communication all that the University has informed the Petitioner is that certain information given by the Petitioner is cryptic and detailed information is

required. Upon this communication instead of submitting the information as called for, the Petitioner has straightaway filed this present Writ Petition in May 2019. The petition is kept pending. Thereafter, Interim Application is taken out that Respondent No. 2 – University should not allow any other college to be opened in the area the Petitioner proposes to do.

2. Both, the Writ Petition and Interim Application, are entirely misconceived. Nowhere on record we found a rejection on merits of the Petitioner's proposal. All that the University asked for was additional information which the Petitioner should have given immediately in March 2019 itself. No useful purpose will be served by keeping the Petition pending. It is open to the Petitioner to supply the information as called for if the cause of action for the Petitioner still survives.

3. In light thereof, both the Writ Petition as well as the Interim Application are disposed of.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)