

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7788 OF 2021

Netaji Shikshan Sanstha's Subhash
Baburao Kul College, through Secretary ... Petitioner.

V/s.
Savitribai Phule Pune University
& Another ... Respondents.

Mr. Sandeep S. Salunkhe, for the Petitioner.
Mr. N.K. Rajpurohit, AGP, for the Respondent-State.

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

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

P.C. :

The Petitioner has challenged the communication dated 10 August 2021 rejecting the proposal of the Petitioner to start courses in M.A. (Economics, History and Marathi) and M.Com in the college run by the Petitioner. The impugned communication annexes a chart which gives reasons why the proposals were rejected. As regard the Petitioner's case, learned Counsel for the Petitioner states that the reason is that requisite deposit was not maintained by the Petitioner. It is the case of the Petitioner that this ground is factually incorrect as the Petitioner has the requisite deposit.

2. We find that after this communication is received the Petitioner has directly approached this Court and has not brought to the notice of the Respondents the stand of the Petitioner that the Petitioner has and always had the requisite deposit. Since this stand is not placed before the Respondents, learned Counsel for the Petitioner states that he will represent to the Respondent Nos. 1 and 2 that the ground for rejection of Petitioner's proposal, according to the Petitioner, is factually incorrect. It is only after this factual assertion is brought to the notice of Respondent Nos. 1 and 2 and they take a decision which is adverse to the Petitioner, the Petitioner would have a cause of action. If the Petitioner makes representation, the Respondents will consider the same as per law. We have passed this order on the statement of the learned Counsel for the Petitioner that the process of considering the applications for opening of colleges is still going on.

3. With these observations, the Writ Petition is disposed of.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)