

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3425 OF 2021

Sant Dnyaneshwar Dnyandeep Bahuuddeshiya Sanstha, Rithad, Washim Thr. President Subhash N. Borkar

-vs-

State of Maharashtra, Thr. Secretary to Ministry of Higher and Technical Education Dept. Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Vijaykumar Paliwal, Advocate for petitioner.
Ms H. N. Jaipurkar, Assistant Government Pleader for respondent No.1.
Shri Jemini B. Kasat, Advocate for respondent Nos.2 and 3.

CORAM : A. S. CHANDURKAR AND SMT M. S. JAWALKAR, JJ.

DATE : March 28, 2022

The petitioner has sought permission for opening of new college in the academic year 2021-2022. That application made by the petitioner was found to be incomplete and hence rejected. The communication dated 12/07/2021 was issued by the State Government giving reasons for such rejection. Insofar as the petitioner's application is concerned, it was stated that Norm No.17 was not satisfied as the necessary documents were not filed alongwith the application. The said rejection is under challenge in this writ petition.

After notice was issued in the writ petition, affidavit has been filed by the respondent No.1 stating therein that in absence of detailed Project Report for the last five years as per Norm

No.17 and despite grant of opportunity to remove the discrepancies the same not having been done by the petitioner, the proposal came to be rejected. By filing re-joinder the petitioner has placed on record a statement indicating recurring cost incurred per annum. We find that as per Norm No.17 detailed Project Report of the last five years was required to be submitted. Since the same has not been shown to have been submitted, no fault can be found with the impugned communication rejecting the petitioner's proposal.

We therefore do not find any reason to exercise writ jurisdiction in the present writ petition. The petitioner is free to make a fresh application with all necessary documents if it desires to open new college in the next academic session.

The writ petition is disposed of accordingly with no order as to costs.

(Smt M. S. Jawalkar, J.)

(A. S. Chandurkar, J.)

Asmita