

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

WRIT PETITION NO.2379 OF 2023

**SANA JUNIOR COLLEGE, THROUGH ITS PRINCIPAL,
ASIATAFEEM W/O SABERUDDIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS UNDER SECRETARY AND
OTHERS**

.....
Advocate for Petitioners : Mr. Upendra Bapurao Bilolikar
AGP for Respondents – State : Mr. S. G. Karlekar
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.**

DATED : 01st MARCH, 2023

PER COURT :

1. The Petitioner challenges the order dated 08/09/2022 by which the recognition granted to its institution to operate the Computer Science & Fresh Water Fish Culture Vocational Course, has been cancelled.
2. Leave to correct prayer clause 'B'. Correction be carried out forthwith.
3. The Appeal provided by the statute has been lodged by the Petitioner. The same is pending with Respondent No.3. Yet, a further order dated 21/10/2022 has been passed by Respondent No.3.

4. The learned A.G.P. appears on behalf of all Respondents.
5. The situation that emerges from the record is that when a statutory Appeal preferred by the Petitioner is pending and no orders are passed, Respondent No.3 could not have proceeded to issue yet another consequential order dated 21/10/2022.
6. In view of the above, this Petition is partly allowed. The order dated 21/10/2022 is quashed and set aside.
7. The Appeal dated 19/09/2022 pending with Respondent No.2 at Mumbai, shall be considered and decided by the said authority on its own merits, by following the due procedure laid down in law and by granting a reasonable opportunity of hearing to all the stakeholders. Let this exercise be completed by 31/05/2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)