

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 CIVIL APPLICATION NO.2112 OF 2023
IN WP/10130/2022

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
VERSUS
SHREE PANJABRAO FOUNDATION THROUGH ITS SECRETARY
CHAKRADHAR PANJABRAO GAIKWAD

...
AGP for Applicant : Mr. P.S. Patil
Advocate for Respondent: Mr. S.V. Deshmukh
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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 21st APRIL, 2023.**

PER COURT :-

1. This is an application filed by the State Government for seeking extension of time to comply with the directions issued by this Court, vide order dated 21.11.2022. We are pointed out the earlier order dated 10.06.2022, passed by the Coordinate Bench, in writ petition No. 5198 of 2022, more particularly paragraph Nos. 6 and 7, which read as under:-

"6. Till the next date, the State Government shall not issue letter of intent to any of the applicants seeking affiliation.

7. The State Government shall convey this order to all the applicants who have applied pursuant to the advertisement dated 25.04.2022."

2. It is pointed out that, by order dated 24.02.2023, this Court has clarified the position, more specifically in paragraph Nos. 2 and 3, which read as under:-

“2. Considering the above, the ad interim order passed, obviously needs to be restricted to the causes of action put forth in these petitions and the litigating parties, who are connected with these matters. We were informed that the Co-ordinate Bench of this Court has directed the State Government not to issue letters of intent to these applicants. We have also directed the State Government to refrain from issuing letters of intent to the applicants.

3. It requires neither any speculation, nor a debate that this order would be restricted to those applicants, with regard to whom the aggrieved petitioners are before the Court. In short, the issue raised by these petitioners, being in connection with particular locations to start collages, the order passed by us would bind only those applicants, who stake a claim to open colleges at such locations, where the petitioners, either have existing colleges or are opposing to start new colleges or are competing to start new colleges. Hence, it is clarified that, the ad interim relief granted by this Court in these matters, would be restricted to those locations and in connection with the affiliated Universities, with regard to which, the causes of action have been raised in these petitions.”

3. In view of the above, this civil application is allowed. The applicants are granted time up to 10.06.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)