

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

902 WRIT PETITION NO.3936 OF 2023

STUDENT'S ACADEMIC EDUCATION SOCIETY, THROUGH ITS
PRESIDENT MANPREET SINGH JASWANTSINGH JOHAR

VERSUS

STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

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Advocate for Petitioner : Mr. A. A. Joshi, h/f Mr. S. V. Natu.

AGP for Respondent/State : Mr. P. S. Patil.

Advocate for Respondent No.2 : Mr. B. M. Dhanure.

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

DATE : 25th April, 2023.

Per Court:

1. On 10th April, 2023, we had passed the following order:-

“1. The grievance of the Petitioner is as under :-

(a) Though the petitioner had an approval and recognition to operate the college of Architecture with an intake capacity of 40 students, considering the distance between Aurangabad town and the place where the college is situated, the number of students seeking admission to the college was dropping.

(b) As the number of students started falling, the petitioner desired to move an application for change of site to relocate the college of Architecture in a newly constructed building which is 10 Kms from Aurangabad. The said application dated 28.01.2019 is still pending.

(c) As the strength of admitted students fell below 30% consistently, the Council of Architecture issued an order on 29.11.2022 directing the petitioner to close down the college.

(d) The Administrator was appointed by the Council.

(e) If the Council permits change of site and reduction in the strength to 20 students intake capacity, the College could survive.

(f) It is, therefore, prayed that the pending representation dated 28.01.2019 be decided as Rs.2,00,000/- have already been deposited by the petitioner with the Council for entertaining the said application.

2. The Standing Counsel for the Union of India has appeared on behalf of Respondent No.2 and submits that he would take instructions so as to address the Court.

3. List this petition on 25th April, 2023 in the **“passing orders category.”**

2. Today, when the matter was called out in the first session, the learned standing counsel for the Union of India, submitted that he is yet to receive the instructions and sought a pass over. After this matter was called out in the second session, he submits that he has forwarded an email to the concerned authorities on 19th April, 2023. There is no response from Respondent No.2 Council of Architecture.

3. The Petitioner has prayed that the representations dated 28th January, 2019 and 18th March, 2023, may be decided by Respondent No.2 at the earliest.

4. In view of the above, **this Petition is disposed off** with a direction to Respondent No.2 to deal with the representations forwarded by the Petitioner, as expeditiously as possible and preferably within 3 weeks from today.

5. We make it clear that we have not expressed any opinion on the merits of the claim of the Petitioner or on the representations.

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[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]