

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

Writ Petition No.817 of 2023

Swa. Bhagwatjikursunge Bahudeshiya Vikas Sanstha, Chikhali

Versus

The State of Maharashtra and another

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri R.D. Dharmadhikari, Counsel for Petitioner.

Shri A.A. Madiwale, Assistant Government Pleader for Respondent No.1.

Shri R.D. Bhuibhar, Counsel for Respondent No.2.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : 19th JULY, 2023.

1. Heard.
2. The petitioner came to be issued a Letter of Intent on 15-4-2021 to start the College for the courses in the streams of Science, Commerce and Arts. Despite this, the petitioner contends that the necessary permission in that regard is not being granted by the respondent No.2- University.
3. On hearing the learned counsel for the parties and after perusing the documents on record, it is seen that the matter is governed by the Government Resolution dated 15-9-2017 insofar as the provision of infrastructure is concerned. As per the said Government Resolution, the minimum area required for the College building premises should admeasure 20,750 square feet. The petitioner is in possession of the building admeasuring 8,448 square feet and for that reason, the University on 25-4-2022 has informed the petitioner that the building should admeasure 20,750 square feet in accordance with the said Government Resolution. In the absence of there being any provision for relaxation of the said requirement, we do not find that there is any legal right in the petitioner to urge that on the basis of the building admeasuring 8,448 square fee, it should be permitted to run the College. Since there is no illegality committed by the University while issuing the communication dated 25-4-2022, no case is made out by the petitioner to interfere in writ jurisdiction.

4. The writ petition is dismissed. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

LANJEWAR