



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1008 WRIT PETITION NO. 3138 OF 2024

AASTHA EDUCATION AND WELFARE SOCIETY
THROUGH ITS PRESIDENT

VERSUS

THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ANOTHER

...

Advocate for petitioner : Mr. Pratap K. Rodge
AGP for the respondent – State : Mr. P.P. Dawalkar
Advocate for respondent no. 2 : Mr. U.S. Malte

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 12 JULY 2024

PC :

Heard both the sides finally.

2. The petitioner - society is anxious to start a new law college of 5 years LL.B. Course. Positive recommendation forwarded by the university in the light of section 109 of the Maharashtra Public Universities Act, 2016, was apparently turned down on the ground that the land that was offered by the petitioner was not situated within the Hingoli city limits.

3. Learned advocate for the university submits that indeed the lease agreement of property from Hingoli city itself was annexed with the proposal and was forwarded to the state government, which fact the latter is denying.

4. Be that as it may, as it transpires now, even by a subsequent reminder dated 4 July 2024, the university had again addressed a letter to the state seeking reconsideration of the petitioner's proposal.

5. Learned AGP, on instructions, submits that the state may reconsider the petitioner's proposal pursuant to such letter dated 3 July 2024 (**Exhibit - R-8**).

6. Considering the fact that the petitioner is the only institution which had applied for a new law college pursuant to the annual plan for that location, if availability of the premises as demonstrated by the petitioner was the only issue, we dispose of the writ petition by directing respondent no. 1 to take a fresh decision as expeditiously as possible and in any case within two (2) weeks on the proposal for grant of letter of intent. The decision shall be communicated to the petitioner immediately.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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