



{1}

929 sr.no.R.odt

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

**WRIT PETITION NO. 11196 OF 2023**

SANA JUNIOR COLLEGE THROUGH ITS PRINCIPAL AND ANOTHER  
....Petitioner

**VERSUS**

THE STATE OF MAHARASHTRA THROUGH ITS UNDER SECRETARY AND  
OTHERS  
.....Respondent

Advocate for the Petitioner : Mr. BILOLIKAR UPENDRA BAPURAO  
AGP for Respondents: Mr. P.S. Patil.

**CORAM : SMT. VIBHA KANKANWADI  
& S.G. GHAPALGAONKAR, JJ.**

**DATE : 11<sup>th</sup> JANUARY, 2024.**

**P.C. :-**

1. The petitioner approaches this court under Article 226 of the Constitution of India with the following substantive prayer :-

“B. By issuing appropriate writ, order or direction in the like nature, the order dated 22.8.2023 passed by the Director, Directorate of Vocational Education and Training (bearing No. 08/ व्हीओसी/ आदेश/ 2023/182)

And order dated 3.5.2023, passed by the Director, Directorate of Vocational Education and Training (bearing No. 08/ व्हीओसी/ सुनावणी/ 2022/ 72)

And the order dated 08.09.2022 passed by the respondent No.3 (vide it's outward no. माविका/प्रश्नी/no.7/2022/6090 by which, the recognition granted in favour of petitioner institution to run Computer Science & Fresh Water Fish Culture Course as a vocational course, from academic year 2023-24 is withdrawn, may kindly be quashed and set aside.

And the petitioner institution may kindly be allowed to

run/operate Computer Science and Fresh Water Fish Culture Course as vocational course for 11<sup>th</sup> and 12<sup>th</sup> standard Science Stream for the academic year 2023-24”.

2. We have heard the learned advocate for the petitioner and learned AGP for the respondent.

3. In response to the petition prayers, an affidavit in reply dated 5.3.2023 has been filed on behalf of the respondent Nos. 1 to 4. Now petitioner has filed affidavit-in-rejoinder along with an order dated 18.9.2023 communicated by the Joint Director, Directorate of Vocational Education and Training, Regional Office i.e. respondent No.3 indicating that in pursuance of the order dated 14.9.2023 passed by this Court, the respondent No.3 has withdrawn the recognition granted in favour of petitioner as regards vocational course “Fresh Water Fish Culture”, however directed the petitioner to remove deficiencies in respect of another vocational course “Computer Science” and submit report of such compliance by 25<sup>th</sup> September, 2023 with District Vocational Education officer at Nanded.

4. Learned AGP further submits that petitioner has complied with the aforesaid directions and after getting satisfaction regarding removal of deficiencies, the proposal for continuation of recognition in respect of Computer Science Course has been forwarded to the Government and the same is pending.

5. After hearing for some time, when this Court opined that every time, the respondent authorities are pointing out some new deficiencies to the petitioner and asking him to comply the same, the

learned AGP, on instructions from Mr. Londhe, Assistant Director, Directorate of Education and Training, Regional office, Aurangabad, who is personally present in the court, makes a statement that the impugned orders including the last communication dated 18.9.2023, thereby withdrawing the recognition of Fresh Water Fish Culture Course shall be recalled and the petitioner would be given one more opportunity to remove the deficiencies that would be communicated to him in writing. After getting compliance of the statutory requirements, the proposal of the petitioner for continuation of the recognition would be considered afresh.

6. In view of this statement, we proceed to pass the following order :-

### **ORDER**

[a] The impugned orders including last communication dated 18.9.2023, bearing OW No. माविका/प्रशी/no.7/2023/7509 shall stand quashed and set aside to the extent of withdrawal of recognition to the petitioner to run the vocational course of Fresh Water Fish Culture.

[b] The respondent authorities shall communicate in writing the deficiencies in respect of vocational course of Fresh Water Fish Culture to the petitioner, within a period of three weeks from the date of this order.

[c] On receipt of written communication regarding deficiencies, the petitioner shall submit the compliance report to the respondent authorities within a period of two months.

[d] After recording satisfaction as regards the removal of deficiencies, the respondent authorities shall take fresh decision regarding continuation of recognition of the petitioner to run vocational course of Fresh Water Fish Culture within a period of one month of receipt of compliance report.

[e] Writ petition is disposed of in above terms.

[S.G. CHAPALGAONKAR, J]

[ SMT. VIBHA KANKANWADI, J]

grt/-