



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

WRIT PETITION NO.3349 OF 2024

Vatsalabai Dandge Shikshan, Krushi, Krida, Gramin Vikas va Bahuuddeshiya Snastha, Thr.
Secretary, Warud, Dist. Buldhana

-VS-

State of Maharashtra, Thr. Secretary, Higher and Technical Education Dept. Mantralaya, Mumbai
and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri A. I. Sheikh, Advocate with Shri N. Z. Mirza, Advocate for petitioner.
Shri N. S. Rao, Assistant Government Pleader for respondent Nos.1 and 2.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : November 12, 2024

1. It is submitted that respondent No.3 in whose favour a Letter of Intent is issued under the provisions of Section 109 of the Maharashtra Public Universities Act, 2016 has given up its claim.

2. Affidavit filed on behalf of respondent Nos.3 to 5 sworn by Shri Dnyaneshwar Shridhar Kadam, Authorised Office bearer of respondent No.3 is on record. Paragraph (6) of the said affidavit reads thus :

“(6) I further say and submit that, on perusal of the contentions raised in the Petition, it appears that, the main grievance of the petitioner is in respect of location of village Dhad. I say that, the respondent No.3 has already withdrawn its claim in respect of the said location and the respondents No.3 to 5 have no objection, for granting the Letter of Intent in favour of the petitioner at village Dhad. I say that, since the Letter of Intent at village Dhad was granted in favour of the respondent No.3, therefore, the proposal of petitioner was not considered. Now, the respondent No.3 has given-up its claim and also requested the concerned Authority to cancel the Letter of Intent issued in favour of respondent No.3 at Dhad location. I further say and submit that, though the petitioner is questioning the

Letter of Intent issued in favour of respondent No.3 at both the Locations, however its main grievance seems to be in respect of location at Dhad. I further say and submit that, even the petitioner may not have any objection for grant of Letter of Intent in favour of respondent No.3 at village Teerthpuri as the petitioner is interested in getting the Letter of Intent at Dhad and the respondent Nos.3 to 5 have already given up their claim for the said location. I say that, in view of said limited grievance, I have filed this short reply and seeks liberty to file detail reply if so required.”

3. In this backdrop, it will be appropriate to have opinion/views of the Additional Chief Secretary/Principal Secretary, Department of Higher Education.
4. Let affidavit duly sworn by Additional Chief Secretary/Principal Secretary, Department of Higher Education be placed on record within a period of three weeks from today.
5. Stand over to 10/12/2024.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)