

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

65 WRIT PETITION NO. 7429 OF 2024

**MOHATADEVI SEVA PRATISHTHAN SHRIGONDA THROUGH
ITS PRESIDENT SATISH SHIVAJI SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

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Mr. Shrikant Patil, Advocate for the petitioner.
Mr. K.N. Lokhande, A.G.P. for respondent Nos.1 to 3.

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**CORAM : R.G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 1 APRIL 2025

Order (Per Sandipkumar C. More,J.) :

1. Heard rival submissions.
2. The petitioner is seeking direction to respondent No.1 to decide its proposal dated 29.09.2022 for starting a new degree course of B.Sc. Computer Science as per the letter dated 23.09.2022 issued by the University i.e. respondent No.4 for the academic years 2023-2024 and 2024-2025. However, after going through the report of Expert Committee, the recommendation for the proposal of petitioner appears only for the academic year 2023-2024. Even in the letter issued by respondent No.4-University dated 23.09.2022, in the foot note it is mentioned that the proposal was to be submitted only for academic year 2023-2024. Even if it is assumed that the said

proposal was sent by the petitioner Institution for two academic years namely 2023-2024 and 2024-2025, but the period for the said proposal is already expired for the academic year 2023-2024. Further, only two months are left for the academic year 2024-2025. Under such circumstances, it appears that the proposal sent by the petitioner Institution has become infructuous.

3. Learned A.G.P. submits that as per the new policy, respondent No.1 is going to invite fresh proposals as per the prospective plan of respondent No.4 University. Considering this, we do not see any merit in the petition. Accordingly, the petition stands dismissed. However, dismissal of this writ petition in respect of the proposal for the academic years 2023-2024 and 2024-2024, shall not come in the way of the petitioner to file fresh proposal as per the policy of respondent No.1.

4. Learned Counsel for the petitioner submits that at the time of filing proposal he had deposited certain amounts by way of challans. According to him, his proposal remained undecided, and therefore, the amounts, which he had already deposited, be refunded to him. Learned A.G.P. submits that refund be ordered only if permissible under law.

5. Under such circumstances, the amounts, if any, deposited by the petitioner as per its proposal, be refunded to it without any interest, if it is permissible under law and provided that the proposal remained undecided.

(SANDIPKUMAR C. MORE, J.)

(R.G. AVACHAT,J.)