



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.13079 OF 2025

- 1) Sahajeevan Shikshan Prasarak Mandal,
Parola (Tehu), District-Jalgaon,
Through its President,
- 2) Rani Laxmibai Arts & Science College,
Parola, Taluka-Parola, District-Jalgaon,
Through its Principal.

...PETITIONERS

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Higher & Technical Education
Department, Mantralaya,
Mumbai,
- 2) The Director Higher Education,
Maharashtra State, Pune,
- 3) The Joint Director of Higher Education,
Jalgaon Division, Jalgaon,
- 4) Kavayitri Bahinabai Chaudhari
North Maharashtra University,
Jalgaon, Post Box No.80,
Umavi Nagar, Jalgaon-425 001,
Through its Registrar.

...RESPONDENTS

...
Mr. P.S. Dighe Advocate h/f/ Mr. V.R. Dhorder Advocate for
Petitioners.

Mr. R.B. Dhaware, A.G.P. for Respondent Nos. 1 to 3.

...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 6th NOVEMBER, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Present Petition has been filed for following reliefs:-

"B) Issue writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus, directing the respondent nos. 1 to 3 to consider and decide the pending proposal dated 04/08/2023 for sanctioning additional posts in the subject of Computer Science on 100% grants for Second and Third year Bsc in the petitioner no.2 college and for that purpose issue necessary orders;

C) Issue writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus, directing the respondent nos. 1 to 3 to permit the petitioners to make full time appointment on the sanctioned post in the subject of Computer Science in the petitioner no.2 by following due procedure and for that purpose issue necessary orders. "

2. In respect of prayer clause C), already there is sanctioned post and according to the petitioners, respondent Nos.1 to 3 are not allowing the process to go on or to be undertaken for the appointment of the sanctioned post in petitioner No.2 college.

3. We had kept the matter back for getting the instructions from respondent Nos.1 to 3. Learned AGP, upon instructions, submits that since it pertains to taking policy decision and as Code of Conduct in view of the upcoming elections has come up, the Government will not be able to take the decision.

4. As regards prayer clause C), when the post is already sanctioned and the representation/proposal appears to have been pending since 4th August 2023 and as the communication for the appointment of the post and sanction to the same has been already there, it does not amount to taking policy decision and there is no hurdle in deciding whether the grant of permission to petitioners to make full time appointment on the sanctioned post in the subject of Computer Science in petitioner No.2 college by following due procedure. We, therefore, direct respondent No.2 to take decision in respect of the prayer clause C) within a period of four weeks from today.

5. As regards prayer clause B), the petitioners pray that the pending proposal dated 4th August 2023 to be decided. As per letter issued by the State Government, in fact the post for computer science appears to have been sanctioned in 2000-2001

only for the first year. What was prayed was that by natural growth it should be sanctioned to second and third year also. This may pertain to taking policy decision and therefore, while disposing of the Writ Petition, we direct respondent Nos.1 and 2 to decide the said aspect about granting of one post each for second and third year by natural growth, to be decided within four weeks after the Code of Conduct is over.

6. The Writ Petition stands disposed of, accordingly.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25