



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8726 OF 2024

Indian Law Society,
through its Hon'ble Secretary ...Petitioner

Versus

State of Maharashtra,
through Chief Secretary & Anr. ...Respondents

Mr. Y. S. Jahagirdar, Senior Advocate a/w. Mr. S. S. Kanetkar for
Petitioner.

Mr. P. P. More, AGP for Respondent Nos.1 and 2.

Mr. Ajit Katkar, Under Secretary, Higher Education Dept., Mantralaya –
present.

Mr. Amol Bhise, Assistant Section Officer, Higher Education Dept.,
Mantralaya – present.

CORAM : K. R. SHRIRAM,
JITENDRA JAIN, J.J.
DATED : 25th JUNE 2024

P.C.

1. Petition was moved for urgent circulation in view of a letter dated 21st June 2024 received by Petitioner from Maharashtra Government, Department of Higher Education Pune. The letter together with enclosures have been placed on record alongwith an affidavit of one Ms. Vaijayanti Joshi affirmed on 22nd June 2024. It is Petitioner's case that the letter of intent that was received on 27th June 2023 is valid for a maximum period of one year that is till 26th June 2024. It is also Petitioner's case that all requirements have been complied with

including the further information/documents that were sought in July 2023. Mr. Jahagirdar informed the Court that all details have been furnished by September 2023. Respondents by its letter dated 21st June 2024 has called upon Petitioner to provide certain details mentioned in the enclosures thereto. The enclosures are copies of two communications from the Government to Director of Higher Education vide letters dated 13th June 2024 and 19th June 2024, copies whereof were not marked independently to Petitioner. In its letter dated 21st June 2024, Petitioner has been called upon to furnish details by 11:00 a.m. on 24th June 2024, knowing fully well that 22nd and 23rd are Saturday and Sunday being holidays. It does give an impression that this letter has been issued only with an intention to harass Petitioner.

2. Mr. More states that Petitioner were called upon to furnish details way back in July 2023 and the details provided by Petitioner were deficient. Mr. More in fairness agreed that between September 2023, when Petitioner states it has provided all details till this letter dated 21st June 2024 was issued, there has been no communication from Respondents to Petitioner.

3. Mr. More seeks leave to file affidavit-in-reply. Affidavit-in-reply to be filed and copy served by 28th July 2024. Rejoinder, if any, to be filed and copy served by 31st July 2024.

4. Petition be listed for admission on 12th August 2024.

5. Until 31st July 2024, there shall be ad-interim in terms of prayer clauses (c) and (d) which read as under:

“(c) Pending herein and final disposal of this writ petition, this Hon’ble Court be pleased to direct the Respondents not to reject the proposal dated 30/11/2022 submitted by the Petitioner for establishment of ILS University only the ground of expiry of period of time on 26/06/2024;

(d) Pending herein and final disposal of this writ petition, this Hon’ble Court by interim order be pleased to hold/direct that the LOI dated 27/06/2023 shall not lapse only on account of efflux of time or expiry of period and will continue to subsist till the decision of the Respondents on the said proposal in accordance with law;”

[JITENDRA JAIN, J.]

[K. R. SHRIRAM, J.]