

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

WRIT PETITION NO. 11705 OF 2014

Satish Annarao Surwase

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sanjaykumar B. Bhosale, Advocate for the Petitioner.

Shri G. K. Thigle, Addl.G.P. for Respondent No. 1 and 2.

Shri P. P. More, Advocate for Respondent Nos. 3 and 4.

CORAM : S. V. GANGAPURWALA AND

V. K. JADHAV, JJ.

DATE : 15TH JUNE, 2015.

PER COURT :

. Mr. Bhosale, the learned counsel for the petitioner submits that, the petitioner is not being considered to the admission of P.G. course only on the ground that, Departmental Enquiry is pending. The learned counsel submits that, the petitioner is eligible and entitled to appear for the P.G.M. CET 2015. According to the learned counsel, as the petitioner satisfies all the requirements, the petitioner could not have been denied admission to the P. G. course. Even the petitioner has passed in P.G. entrance examination and is entitled for admission. According to the learned counsel at no material point of time, the petitioner was ever communicated as departmental enquiry is

pending against him.

2. Mr. More, the learned counsel for respondent Nos. 3 and 4 and the learned Additional Government Pleader submit that, as per clause 1.5 of the G. R. dated 03.05.2011, the petitioner would not be entitled for admission to P. G. course, once Departmental Enquiry is pending. The learned counsel for respondent Nos. 3 and 4 relies on the judgment of the Division Bench of this Court in Writ Petition No. 4326 of 2013 dated 06th August, 2013.

3. We have gone through the judgment delivered by this Court in Writ Petition No. 4326 of 2013. The Division Bench of this Court in Writ Petition No. 4326 of 2013 has held that, in view of clause 1.5 of Government Resolution dated 03.05.2011 person against whom departmental enquiry is pending is not eligible for admission of P. G. course. Even the said clause is not assailed in the present petition.

4. Considering the aforesaid aspects of the matter and the judgment of this Court, the grievance made by the petitioner cannot be entertained. The writ petition as such is dismissed. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]