

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 8086 OF 2015**

St. John College of Engineering  
and Technology & Ors.

....Petitioners.

Vs.

Directorate of Technical Education & Anr.

....Respondents.

Mr. S.C.Naidu a/w Mr. Rahul Tanwani and Mr. Aniket Poojary I/by  
C.R. Naidu for the Petitioners.

Ms. S.S. Bhende, AGP for Respondent Nos. 1 and 2.

**CORAM : ANOOP V. MOHTA AND  
A.A. SAYED, JJ.**

**DATE : 15 SEPTEMBER 2015.**

**ORDER:-**

The learned counsel appearing for the Petitioner, on instructions, and also in view of the affidavit of Dr. Rajeev Vishwanath Shetkar, Assistant Director (Tech), Directorate of Technical Education, Mumbai, dated 2 September 2015 and specifically in para 3 thereof, conceded that the matter can be disposed of. The learned AGP has also conceded to the said position. Therefore, the present Writ Petition is disposed of by consent in view of the following averments made in para 3 which is reproduced as under:-

*“3. In these matters the Petitioner, after completion of CAP, have sought relief for allowing these vacant seats of the un-surrendered seats i.e. seats reserved for*

*minority community candidates from the general category candidates at the institute level. However after the CAP, if the institute would like to fill up these minority seats from general category candidates then firstly the available general category candidates need to be admitted on the basis of merit at the institute level on vacant seats available in the CAP general quota and after exhausting this CAP general quota, to accommodate remaining available candidates from the general category, the vacant seats against the unsurrendered quota meant for the Minority candidates may be used. While doing so, every seat is expected to be filled in accordance with the Section 4 of the act. Accordingly, such institutes can fill up the available seats from the candidates in accordance with the procedure as specified in the brochure published for academic year 2w015-16 before the cut off date.”*

2           It is also made clear by the learned AGP, based upon the instructions from Dr. Rajeev Vishwanath Shetkar, Assistant Director (Tech), who is present in the Court that this will be applicable to all programmes at all levels for the Petitioner’s institution and for the academic year 2015-16.

3           The present Writ Petition is accordingly disposed of, with liberty. There shall be no order as to costs.

**(A.A. SAYED, J.)**

**(ANOOP V. MOHTA, J.)**

**CERTIFICATE**

Certified to be true and correct copy of the Original signed  
Judgment/Order.