

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9417 OF 2015

Fr. Conceicao Rodrigues
College of Engineering & Ors.
V/s

..... Petitioners

Directorate of Technical
Education & Ors.

..... Respondents

Mr. S.C. Naidu i/b Mr. C.R. Naidu & Co. for Petitioners.

Mr. A.B. Vagyani, Government Pleader a/w Mr. C.P. Yadav, AGP for
Respondent Nos.1 and 2.

Dr. Rajeev V. Shetkar, Assistant Director (T) present in Court.

CORAM : ANOOP V. MOHTA &
A.A. SAYED, JJ.

DATED : 30 SEPTEMBER 2015

ORDER:

1 Learned Counsel appearing for the parties make a statement that the issue is covered by order passed by this Court dated 15 September 2015 in Writ Petition No.8086 of 2015 and therefore, for the same reasons, we are inclined to dispose of the present Writ Petition. Dr. Rajeev Vishwanath Shetkar, Assistant Director (Tech.), Directorate of Technical Education, Mumbai is present in the Court whose statement was recorded in earlier matter. Therefore, present Writ Petition is disposed of in view of the following averments made in para 4 which is reproduced as under:

“4” In these matters the petitioners, 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 un-surrendered 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 2015-16 before the cut off date.”

2 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.)

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CERTIFICATE

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