

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6068 OF 2014

[Farzana Abdul Hakim and others .vs. Rashtrasant Tukdoji Maharaj Nagpur University, Nagpur and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri B.G. Kulkarni, counsel for the petitioners,
Shri Arun Agrawal, counsel for respondent no.1,
Shri N.S. Rao, AGP for respondent nos.2 and 3.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATED : APRIL 07, 2015.

By this petition, the petitioners seek a direction to the respondent no.1 that they are eligible for admission to B.Ed. (Special Education) (M.R.) course and the decision on the part of the University in declaring the petitioners ineligible is bad in law and is liable to be set aside.

Shri Kulkarni, the learned counsel for the petitioners, states that the issue involved in this case stands answered in favour of the petitioners by the judgment of this court dated 19.7.2013 and 3.3.2015 in Writ Petition No.2951/2013 and Writ Petition No.1964/2014 respectively as this court had held in the said judgment that the action on the part of the respondent-University in holding the petitioners ineligible was liable to be set aside and a direction was issued to the respondent-University to treat the admission of the petitioners valid for all purposes. It is stated that a similar order is necessary in this writ petition on parity.

Shri Agrawal, the learned counsel for the respondent no.1-University, does not dispute that the issue involved in this petition was also involved in the petitions referred to hereinabove and in those cases this court had protected the admission of the students therein and

had directed the University to treat the admission valid for all purposes.

In view of the aforesaid position and on a consideration of the table produced in paragraph 7 of the writ petition, we allow this writ petition and declare that the action on the part of the University in holding the petitioners to be ineligible is bad in law. We direct the respondent-University to treat the admission of the petitioners to B.Ed. (Special Education) (M.R.) course to be valid for all purposes. Order accordingly. No costs.

JUDGE

Gulande

JUDGE