

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

WRIT PETITION NO. 8899 OF 2016

Shiva Trust's Bharatratna Dr. A.P.J.
Abdul Kalam College of Architecture
At Nipani Bhalgaon, Beed by Pass Road
Tq. and District Aurangabad
Through its President

...PETITIONER

versus

The State of Maharashtra & ors.

...RESPONDENTS

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Mr. V.D. Hon, Senior counsel instructed by Mr. Ashwin Hon & Mr. C. A.
Jadhav, Advocates for petitioner
Mr. S.G. Karlekar, AGP for respondents

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**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 24th AUGUST, 2016.

Order :-

1. Accepting request made by the petitioner would amount to interference in the academic programme prescribed by the competent authority. The dates prescribed by the competent authority for completion of admission programme shall not normally be changed by the High Court in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The academic discipline shall have to be adhered to.

2. In the peculiar facts of the case, it would be open for the petitioner to make representation to respondent No. 3 – The Commissioner and Competent Authority State Common Entrance Cell,

Government of Maharashtra, Mumbai. Learned counsel states that such representation is already made. Therefore, it would be open for the said authority to consider the same looking to the facts and circumstances, more particularly, the factum of availability of the students and willingness to secure the admission to technical courses. Respondent No. 3 – Commissioner looking to the nature of grievance, which is touching the academic matter, shall take appropriate decision, as expeditiously as possible.

3. With aforesaid directions, writ petition stands disposed of.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[R.M. BORDE, J.]

MTK