

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

WRIT PETITION NO. 9966 OF 2016

Nitin s/o. Sudhakar Totalwar,
Age : 21 years, Occ. Education,
r/o. Chotigalli, Biloli,
Tq. Biloli, Dist. Nanded ..Petitioner

Vs.

The State of Maharashtra,
Through its Secretary,
Animal Husbandry and
Dairy Development Department,
Mantralaya, Mumbai
and ors. ..Respondents

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Mr.S.M.Vibhute, Advocate for petitioner
Mr.S.B.Pulkundwar, AGP for respondent no.1
Mr.P.G.Rodge, Advocate for respondent nos.2 to 4

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : DECEMBER 05, 2016**

PER COURT :

Heard.

2. The petitioner is objecting to the admission given to respondent no.3 for B.V.Sc. and A.H. course for the academic year 2016-2017 during second round of admission process.

3. The petitioner claims admission to the said course from amongst Scheduled Tribe and Defence Personnel category ("S.T.D.P. category", for short). It is the contention of the petitioner that respondent no.3 has been admitted to the said course from S.T.D.P. quota though he applied from S.T. category.

4. In the affidavit-in-reply presented on behalf of respondent nos.2 to 4, it has been stated that while considering the candidature of the respective candidates for giving admissions against the Regional Quota, seats are required to be filled-in from the amongst the candidates originating from that region only in view of the Government Resolution No.MAFSU-2012/F.NO.32/Pra.Du.Ma-1 dated 11.06.2013. It is stated that the petitioner belongs to 'D' region, whereas respondent no.3 is from 'A' region and as such, the petitioner cannot claim admission in 'A'

regional quota overlooking the claim of respondent no.3. It is further stated that since no candidate from S.T.D.P. category was available in Regional Merit List for 'A' region during the first round of Regional Quota Admission, the seats could not be filled-in and the same remained vacant. During the second round of admissions, in view of the Government Resolution referred to above, seat came to be converted into S.T. reserve category without horizontal reservation and since respondent no.3 belongs to S.T. Category, he has been given admission to the said course. It is further stated that the petitioner cannot claim admission in 'A' region against the horizontal reservation quota during the second round of admissions. It is stated that the admissions have been completed in accordance with the procedure prescribed in the prospectus of the said course for the academic year 2016-2017 and Government Resolution dated 11.06.2013.

5. In view of the clarification given in the affidavit-in-reply presented on behalf respondent nos.2 and 4, the contentions raised by the petitioner cannot be accepted and no relief can be granted in the petition.

6. The Writ Petition is devoid of substance and hence, stands rejected.

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]

kbp