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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 2531 OF 2016

Ms. Payal R. Sharma

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

Mr. Shehzad Naqvi a/w. Mr. S.S. Dhuri,
Advocates for the Petitioner

Mr. Rui A. Rodregues a/w. Ms. Y.R. Singh,
Advocates for Respondent No.3

Ms. Kavita Solunke, AGP for the State Respondent Nos. 1 & 2

**CORAM : SHANTANU S. KEMKAR &
M.S. KARNIK, JJ.**

DATED : 6TH OCTOBER, 2016

P.C. :

Matter is not on board. In view of the urgency taken on board and heard.

2. Parties through their Counsel. The grievance of the Petitioner is that though as far as the notification **Exhibit-B** the Petitioner had reported for Counselling for admission on 14th August, 2016 before the Respondent No.3 College, but the College did not permit the Petitioner to take part in the

Counselling on the ground that though the seats are vacant they have not received any notice or intimation from the Respondent No.2 Directorate of Technical Education (DTE). Hence the Petitioner cannot apply for the vacant seats for the purpose of securing admission.

2. It is the case of the Petitioner that for no fault of her she has been deprived of her admission not only on that date but as on today also the seats are vacant.

3. On instructions learned Counsel appearing for Respondent Nos.3 and 4 submits that after the Counselling which was conducted on 14th August, 2016 with respect of earlier round as per DTE notice dated 18th August, 2016 still there are seats remaining vacant in B-Pharma and in view of the fact that the Petitioner had reported on 14th August, 2016 as per the advertisement **Exhibit-B** the Petitioner can be accommodated in the College, if she fulfills other requisite qualifications (eligibility criteria) etc.

4. In view of the aforesaid statement made on instructions by the learned Counsel appearing for Respondent Nos. 3 and 4 and as agreed by the learned Counsel for the parties we are of the view that the Petition deserves to be disposed of by directing the Respondent No.3 to consider the Petitioner's claim for admission as per her eligibility and if she is fulfilling the criteria to grant her admission for vacant seats of B-Pharma.

5. The Petition stands disposed of. Parties to act on authenticated copy of this order.

(M.S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)