

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

**WRIT PETITION NO.4537 OF 2017**

Kazi Toseef Laik ... Petitioner.

Versus

The State of Maharashtra  
and others. ... Respondents.

...  
**WITH  
WRIT PETITION NO.4538 OF 2017.**

Tejas S/o Minanath Patil ... Petitioner.

Versus

The State of Maharashtra  
and others. ... Respondents.

...  
Mr.S.S.Deshmukh, advocate for the petitioners.  
Mr.S.B.Pulkundwar, A.G.P. for the State.  
Mr.S.S.Jadhavar, advocate for Respondent No.2.  
Mr.A.M.Karad, advocate for Respondent No.3.  
...

**CORAM : S.V.GANGAPURWALA AND  
SANGITRAO S. PATIL, JJ.**

**Date : 10.04.2017.**

**PER COURT :**

1. Heard.

2. Under order dated 10.3.2017 in Writ Petition filed by the Respondent institution, we had allowed the students admitted by the Respondent institution on or before 30.9.2016 to appear for examination, however, the same was upon verifying the record by the authority that these students have been admitted prior to 30.9.2016.

3. It is submitted that examination forms of all the students who were enlisted in the list attached with the earlier Writ Petition filed by the institution have been accepted except the present Writ petitioners and twelve others.

4. According to Mr.Jadhavar, learned counsel for the Respondent, authority had constituted a Committee to verify the record and in respect of these petitioners the record was suspicious. There was over-writing on the receipts of payment of fees. According to

Mr.Deshmukh and Mr.Karad, learned counsel for Respondents there is other receipt also showing that the petitioners have paid fees prior to September 2016. The petitioners have participated in the Mock Drill and had attended the course. According to the Respondents, these petitioners have been admitted prior to 30.9.2017. In one of the receipt which is pointed out to us there appears to be over-writing but another record is also produced, wherein receipt of the petitioner student appears to be clear and unambiguous. In fact, the institution has to produce the record before the authority concerned. As the examinations are to commence from 11.4.2017, we find it expedient to pass the following order :

- a) The authority shall accept the examination forms of the present petitioners and allow the petitioners to appear for examination. If the examination fees is not paid, the same shall be paid by the petitioners.
- b) The Respondent authority shall once

again verify the documents with regard to the admission of the petitioners and attendance of the course prior to the declaration of the result and thereafter shall take decision with regard to declaration of the result of the petitioners.

c) The Writ Petitions are disposed of. No costs.

d) Authenticated copy be given.

**(SANGITRAO S. PATIL, J.)**

**(S.V.GANGAPURWALA, J.)**

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