

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4528 OF 2017

Nandurbar Taluka Vidhayak Samiti's
College of Law, Nandurbar
District Nandurbar
Through its Principal,
Dr.Nitesh Dharamdas Chaudhari,
Age : 41 years, Occu.: Service,
R/o.: Nandurbar,
District Nandurbar

PETITIONER

VERSUS

1. The State of Maharashtra,
through its Secretary,
Higher and Technical Education
Department, Mantralaya,
Mumbai - 32
2. The Commissioner & Competent
Authority, State Common Entrance
Test Cell, Mumbai,
Head Office at 305, Government
Polytechnic Building,
49, Kherwadi, Ali Yawar Jung Marg,
Bandra (E),
Mumbai - 400 051 (MS)

RESPONDENT

Mr. P.D. Bachate, Advocate for the petitioner
Mr. V.S. Badakh, A.G.P. for the respondent/State
Mr. M.V. Deshpande, Advocate for respondent No.2

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

DATE : 18th APRIL, 2017

ORAL ORDER:

Heard.

2. We have heard Mr. Bachate, the learned counsel for the petitioner. According to him, the policy is to allot CET Centre for Law faculty in every district. However, Nandurbar district is not allotted Centre for conducting online CET in law. The learned counsel submits that the petitioner – Institution has all the necessary infrastructure and the facilities. The learned counsel submits that pursuant to the order of this Court, the respondents had inspected the premises and as per the report, the petitioner complies with all the requirements. Still, the Centre is not being allotted to the petitioner.

3. Mr. Murar Deshpande, learned counsel appearing for respondent No.2 submits that pursuant to the order dated 13th April, 2017 passed by this Court, respondent No.2 had conducted inspection of the facilities and infrastructure available with the petitioner and it is found that one another Institution Navsamaj Nirman Multipurpose Society, 35 Shivwandan Housing Society, Taloda Road, Nandurbar is found to be more suitable and viable for conducting CET examination of Law faculty. The examination is to be held on 20th May, 2017 and the

students are required to fill in the examination form of online CET by giving their choice of Centre by 25th April, 2017 and many of the students may have given their choice of Centre by now.

4. We have considered the submissions, canvassed by the learned Counsel for the respective parties.

5. It is not disputed that the policy of the respondents is to provide Centre for conducting online CET examination in every district. Nandurbar is a tribal area. Initially, it was decided by the respondents not to provide Centre for conducting CET in Law faculty at Nandurbar. Pursuant to our order dated 13th April, 2017, respondent No.2 had conducted an inspection and submitted a report stating that examination can be conducted at Navsamaj Nirman Multipurpose Society, 35 Shivwandan Housing Society, Taloda Road, Nandurbar.

6. As it has been stated by the respondents that examination can be conducted at the above referred Institution, it will be appropriate for respondent No.2 to provide Centre at Nandurbar for conducting online CET

examination considering the capacity of the said Centre. Considering the last date for filing applications, which is 25th April, 2017, respondent No. 2 shall take immediate steps in this regard. Needless to state that for the allotment of Centre for next CET online examination for Law faculty, the claim of the petitioner can be considered on its own merits. With these observations and directions, writ petition stands disposed of. No costs.

Sd/-
[**SANGITRAO S. PATIL**]
JUDGE

Sd/-
[**S.V. GANGAPURWALA**]
JUDGE

sam/wp4528-17