

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.8900 OF 2017

Aman s/o Girish Agrawal

Petitioner

Versus

State of Maharashtra & others

Respondents

Mr.A.P.Bhandari, advocate for the petitioner.

Mr.M.B.Bharaswadkar, A.G.P. for respondents.

**CORAM : R.M.BORDE AND
A.M.DHAVAL, JJ.
DATE : 17th July, 2017.**

P.C. :

1 It is not a matter of dispute that the petitioner became eligible for securing admission to Degree course in Engineering after result of revaluation of marks and in the meanwhile, two rounds of Centralized Admission Process (CAP) were already completed.

2 The petitioner contends that directions may be issued to the respondents for consideration of his claim on individual merit and he shall be placed in the State Merit List at an appropriate place.

3 Learned A.G.P, appearing for respondents, contends that the claim of the petitioner for admission to Engineering Course from the CAP rounds can be considered adjusting his name at the bottom of the list. He would be eligible for admission at the

institution level, but so far as CAP rounds are concerned, inclusion of his name in the middle of process would affect claim of other students. The communication issued by the Director of Education dated 17.07.2017 is placed on record. Same is marked "X" for identification. In paragraph 2, it is recorded thus:

Since the petitioner candidate is becoming eligible after publication of final merit list, the name of the candidate cannot be added in the final merit list. Therefore could not be considered for Centralized Admission Process (CA)). However, the petitioner will be eligible for Institute Level admission. But if the candidate is to be considered for allotment under CAP III then it be appropriate and necessary to give such chance to all other candidates who are left out of first merit list for the reasons beyond their control and for faults of some other authority as a matter of natural justice and process may get slightly delayed. However, such candidates will be added after the last candidates of first merit list and their claims will be considered after exhausting claims of earlier candidates appearing in first merit list.

4 In view of the explanation tendered by the Director of Technical Education, grievance raised by the petitioner, in the instant petition, stands redressed. Petitioner is held entitled for CAP rounds, as recorded in the communication dated 17.07.2017.

5 In view of above, writ petition stands disposed of.

A.M.DHAVALÉ
JUDGE

R.M.BORDE
JUDGE