

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

920 WRIT PETITION NO. 10671 OF 2017

SHRIPRASAD RAMRAO RODE
VERSUS
THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner : Mr. B.N. Patil
AGP for Respondent/State : Mrs. M.A. Deshpande
Advocate for Respondent 5 : Mr. M.D. Narwadkar

...

**CORAM : SHANTANU S. KEMKAR &
NITIN W. SAMBRE, JJ.**

DATED : August 29, 2017.

PER COURT :

. Leave to amend is granted so as to implead the Commissioner CET Cell as respondent No. 5. Amendment be carried out forthwith.

2. Issue notice to respondents. The learned AGP waives notice for respondent No. 3 State. Learned counsel Shri. Narwadkar waives notice for newly added respondent No. 5.

3. With consent, finally heard and disposed of.

4. Undisputedly the first mop up round is over. In the circumstance, the relief claimed by the petitioner to allow the

petitioner to appear in the first mop up round cannot be granted.

5. The learned counsel for petitioner submits that the petitioner may be permitted to appear in the second mop up round. The learned AGP and the learned counsel appearing for CET Cell on instruction submit that the second mop up round will be conducted by the individual Private Institutions itself.

6. In the circumstance, when the Private Institutions are not before us, we are not inclined to grant the aforesaid relief. It will be open for such institutions to consider the request of the petitioner and allow the petitioner to appear in the second mop up round if the petitioner is otherwise eligible as per the rules and is willing to accept the conditions. It will be open for the institution to proceed in the matter in accordance with law.

[NITIN W. SAMBRE, J.] [SHANTANU S. KEMKAR, J.]

ssc/