

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO.20613 OF 2017

Sushma Jaganath Jawale & Ors.	..Petitioners
Vs.	
State of Maharashtra through Principal Secretary and Ors.	..Respondents

Mr. Datta H. Pawar for the Petitioners.
Ms. Kavita Solunke, AGP for the Respondent No.1.
Mr. R. R. Salvi i/b Mrs. Suvarna Telegote for the Respondent No.2.
Mr. Vishwajeet V. Mohite for the Respondent No.3.

**CORAM: B. R. GAVAI AND
RIYAZ I. CHAGLA, JJ.**

DATE: 28th JULY 2017

P.C.:

. The Petitioners are seeking a direction against the Respondent Nos.1 and 2 for issuing hall tickets to them and permitting them to appear for exam which is commencing from 1/8/2017.

2. The learned counsel for the Respondent No.3 submits that the Petitioners were admitted by Respondent No.3. A pertinent query was put to the learned counsel for the Respondent No.3 as to whether the Respondent No.3 is having approval by the Competent Authority to run the course, the learned counsel fairly states that the Respondent No.3 has applied for grant of approval and the proposal for the same is pending before the Competent Authority.

3. We fail to understand as to how pending proposal for valid approval by the Competent Authority, the Respondent No.3 could have

admitted the Petitioners to the course. If we entertain the Petitioners and grant relief as prayed, it will amount to perpetuating the illegality committed by the Respondent No.3. The Petitioners are always at liberty to take steps as are permissible under law against the Respondent No.3.

4. We find no merit in the Petition and the same is accordingly rejected.

(RIYAZ I. CHAGLA, J.)

(B. R. GAVAI, J.)