

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10525 OF 2017

Lions Club of Silvassa Charitable

Trust

..Petitioner

Vs.

The University of Mumbai and Others

..Respondents

Ms. Varsha Palav a/w Rekha Musle I/b The Laureate, for the
Petitioner.

Mr. A. D. Sale, for Respondent No.3.

Mr. R. A. Rodrigues, for Respondent No.1.

Mr. C. P. Yadav,AGP, for Respondent No.2.

Mr. S. S. Deshmukh, for Respondent No.4.

CORAM:-B.R.GAVAI & B. P. COLABAWALLA,JJ.

DATE :- DECEMBER 21, 2017.

P. C.:

Rule. Rule made returnable forthwith. Heard by
consent.

2 By way of the present Petition, the Petitioner is
challenging the decision issued by the State Common Entrance

Test Cell of Respondent No.2 dated 11th August, 2017 directing the Petitioner not to admit the students for the course in Bachelor of Laws for three years and five years for the academic year 2017-2018 without appearing and clearing the Common Entrance Test.

3 The Petitioner has already been granted permission from Respondent No.3-Bar Council of India for opening a law college at Silvassa and admit the students for the academic year 2017-2018. Respondent No.1-University has also granted affiliation to the said college. In that view of the matter, we find that there could be no impediment in Petitioner No.1 starting the college for the academic year 2017-2018. The only hurdle appears to be the communication from the State Common Entrance Test Cell of Respondent No.2. However, it is to be noted that the State Common Entrance Test Cell of Respondent No.2 will have jurisdiction only insofar as the State of Maharashtra is concerned. Silvassa comes within the jurisdiction of Respondent No.4. Though the colleges in the area of Respondent No.4 are affiliated to Mumbai University, the State of Maharashtra would not have jurisdiction for the colleges situated in the territory of Respondent No.4.

4 Insofar as the present academic year is concerned, the centralized admission process in the colleges in the State of Maharashtra is already over and the colleges are now permitted to give spot admission.

5 In that view of the matter, we find that for the present academic year it would be in the interest of justice to permit the Petitioner to admit the students directly. Insofar as the applicability of the Common Entrance Test is concerned for the next academic session, the Petitioner, Respondent No.1, Respondent No.3 and Respondent No.4 would jointly work out the modality for conducting the admission in the next academic session

6 The Petition stands disposed of in the aforesaid terms.

(B. P. COLABAWALLA, J.)

(B. R. GAVAI, J.)