

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2358 OF 2014
WITH
WRIT PETITION NO.1251 OF 2015
WITH
WRIT PETITION NO.5842 OF 2015
(APPELLATE SIDE)

The Society for the Higher Education
of Women in India and Others ...Petitioners
vs.
State of Maharashtra and Others ...Respondents

Mr. Aniketh Poojari i/b. C.R. Naidu & Co., for the Petitioners
Ms. Geeta Shastri, AGP for Respondent No. 1.
Mr. Rui Rodrigues, for Respondent No. 5.

**CORAM : SHANTANU S. KEMKAR &
A. M. BADAR, JJ.**

DATE : APRIL 26, 2017

P.C.:

- . Parties through their counsel.
2. The Respondent-State in para 2 of their reply affidavit
8th July, 2015 has taken a stand as under:

“At the outset, I say that, I have already filed an affidavit in reply to the Petition, however, with respect to the Government Ordinance issued on 12th May, 2015 I am filing this additional affidavit. I state that, the admission process for minority students for higher technical professional and vocation courses has been specified afresh, vide said Ordinance dated 12th May, 2015. The Government in Higher & Technical Education Department has issued this Ordinance No. VII of 2015, dated 12th May, 2015. The section (6) of the Ordinance

has superseded the procedure of admission for the minority students as specified in the circular of MDD No. MSC-2012/CR-21/Desk-5 dated 18th June, 2014, with respect to the admission of higher technical, professional, vocational courses of private non granted minority institutions. It is clear that the provision under section (6) is not applicable for the courses other than higher technical, professional & vocational courses. I crave leave to only upon the ordinance dated 12th May, 2015 of Higher & Technical Education Department as and when produced.”

3. In view of the aforesaid stand of the Respondent-State, we are of the view that nothing survives in these Writ Petitions. As a result, the Petitions stand dismissed as infructuous.

4. It is open for the Petitioners to take appropriate steps to challenge the provision of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015.

(A. M. BADAR, J.)

(SHANTANU S. KEMKAR, J.)