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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3327 OF 2017

Laxmi d/o Bhalchandra Gadekar,
AGE: 29 years, Occ: education,
R/o. Jalgaon (Sapkal),
Tq. Bhokardan, Dist. Jalna. ..PETITIONER

VERSUS

1. The State of Maharashtra,
Through the Secretary.
Social Welfare Department,
Mantralaya, Mumbai.
2. The Principal,
Siddakala Ayurveda
Mahavidyalaya, Sangamner,
Tq. Sangamner, Dist. Ahmednagar.
3. The Registrar,
Maharashtra Health Science
University, Mhasrul,
Dindori Road, Nasik.
4. Vasant Kusum Rural Yog and
Ayurvedic Pratisthan,
Pimpalner Road, Sangamner (kh)
Dist. Ahmednagar
Through its President
Kishor Vasantrao Saraf.
5. The Chairman,
Education Fees Committee and
Admission control committee,
3rd Floor, Government Tantraniketan
Building, Khewadi, Wandra (East)
Mumbai-400051.

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6. The Social Welfare Officer,
Abhivishwa Complex, Bhulegaon
Phata Nagpur M.I.D.C.
Ahmednagar.

..RESPONDENTS

Mr P.S. Koshti, Advocate for petitioner;
Mr A.S. Shinde, A.G.P. for respondent/State;
Mr K.C. Sant, Advocate for respondent No.3;
Mr U.S. Malte, Advocate for respondent No.5

**CORAM : PRASANNA B. VARALE &
S. M. GAVHANE,JJ.**

DATE : 29th JUNE, 2018

ORAL ORDER :

Heard Mr. Koshti, learned Counsel
appearing for the petitioner.

2. The petitioner raises the grievance in the
petitioner that though the petitioner approached
the authorities and more particularly Health
University, no heed is paid to her representation.
On perusal of the documents what reveal is, the
petitioner was admitted for B.A.M.S. Course in the
year 2008-2009 from the seats available to
Management Quota. The petitioner found that there
were certain vacant seats for the students from
Special Backward Category or Other Backward

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Category, wherein these students could avail benefits of Government scholarship. The petitioner then submitted representation dated 16th May, 2016 to the College namely Siddhakala Ayurved Mahavidyalaya, Pimparker Road, Sangamner (Kh.), Taluka Sangamner, District Ahmednagar.

3. Perusal of the documents placed on record further show that it is an error of the petitioner to submit that the petitioner had approached respondent – University and inspite of his representation submitted to respondent – University, the University paid no heed. On the contrary, the record reveals that it was communication from the Principal of the College to the Registrar of the University.

4. Mr Sant, learned Counsel appearing for the University submits that it is the duty of the College to verify the documents of the students and then accordingly allot seats to the students as per quota or benefits claimed by the students. He then

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submitted that no representation from the petitioner is received by the Maharashtra Health University, Nashik.

5. It seems that the petition, being a student, not very conversant with the legal formalities, who was under impression that representation is submitted to the appropriate authority. It also reveals that the petitioner can avail appropriate remedy before the State Government by approaching the competent authorities raising the grievance before the authorities.

6. On the backdrop of this facts, we are of the opinion that the petition can be disposed of by giving certain directions. We make it clear that normally, this Court would not adopt approach which is now we are adopting but for the reason that the petitioner was proceeding under erroneous impression and in the wrong premises, and her grievance seems to be of receiving Government benefits being a student from Special Backward Category or Other Backward Category.

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7. In the fact situation, we dispose of the petition, permitting the petitioner to submit appropriate representation to the competent authorities within two weeks from today. If such representation is submitted to the competent authorities, either to the University or authorities of the State Government to consider it on its own merits, as expeditiously as possible, without causing any inordinate delay considering the grievance of the petitioner. In our opinion, this directions would meet the ends of justice and would cause no prejudice to the respondents-authorities. Resultantly, the petition is disposed of with above directions.

(S. M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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