

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

988 WRIT PETITION NO. 10451 OF 2018

ADITYA HANUMAN GUDADE U/G HANUMAN PARSHRAM GUDADE
VERSUS
THE DIRECTOR SERVICES PREPARATORY INSTITUTE AND OTHERS

...
Advocate for Petitioner : Mr. K .C.Sant h/f M r. S.V. Munde
AGP for Respondents:Mr. S.W. Mundhe
...

CORAM : R. M. BORDE & MANGESH S. PATIL, JJ.

Date: October 12, 2018

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PER COURT :-

1 The petitioner is objecting to the decision taken by respondent Service Preparatory Institute to cancel his admission for completion of preparatory training.

2 It is not a matter of dispute that the petitioner joined respondent-institute and also paid the prescribed fees. It is reported that during continuance of the training, the petitioner suffered certain ailment and as such was required to refer to the hospital. Certain investigations were required to be conducted. The petitioner contends that the respondent prevailed upon the father of the petitioner to apply for cancellation of admission and accordingly on the basis of communication signed by the father of the petitioner, the admission of the petitioner has been cancelled. The petitioner contends that he is physically fit and is in a position to continue the training and he be accorded an opportunity.

3 An affidavit in reply has been presented on behalf of respondent, wherein, it is stated that the contention of the petitioner that the respondent prevailed over the father of the petitioner to tender the letter for cancellation of his admission is incorrect. Since the petitioner's father voluntarily requested respondents to allow him to cancel admission of the petitioner, since he is unable to complete training, his admission has been cancelled. It is further informed that the tuition fees paid by the petitioner has also been refunded. The institute, at this stage, is unable to accept the petitioner as a student and to permit him to complete the training.

4 In these facts and since the petition raises disputed questions of facts and since the training course has already commenced, it would not be appropriate to cause interference at this stage. The petition is devoid of any substance and stands disposed of.

(MANGESH S. PATIL, J.)

(R. M. BORDE, J.)