

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

BENCH AT AURANGABAD.

WRIT PETITION NO.13921 OF 2017

Sarika D/o Prabhakar Jadhav
and others. ... Petitioners.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.S.M.Kamble, advocate holding for Mr.S.S.Salve,
advocate for the Petitioners.
Mr.A.S.Shinde, A.G.P. for the State.
Mr.A.R.Nikam, advocate for Respondent No.3.

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**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVALÉ, JJ.**

Date : 03.05.2018.

PER COURT :

1. The learned counsel for petitioners submits that the petitioners had appeared for CET examination 2010. The petitioner Nos.1 and 2 are from OBC category and had secured 114 and 123 marks respectively, whereas petitioner No.3 is

from open (general) category and has secured 135 marks. The candidates having less marks than the petitioners are being selected and given appointment orders, thereby the petitioners are discriminated.

2. Mr.Nikam, learned counsel submits that cut off marks for OBC Marathi medium is 144 in general and female category. The petitioner Nos.1 and 2 have secured only 114 and 123 marks. For open category the cut off marks is 146 and petitioner No.3 has secured 135 marks. For the persons from 20% English Medium, the cut off marks are less, however, the petitioners can not be considered in that list. It appears that the petitioners have also not considered horizontal reservation. As stated by the Respondents, the petitioners have secured less marks than the cut off marks, the case of the petitioners can not be considered.

3. The Writ Petition is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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