

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

WRIT PETITION NO. 14786 OF 2017

Mohit Ketan Bangargi

... Petitioner

VERSUS

State of Maharashtra & Ors.

... Respondents

.....
Mr Vikram S. Undre, Advocate for the petitioner
Mr A. V. Deshmukh, AGP for respondent/State
.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 20TH FEBRUARY, 2018.

ORDER:

1. The petitioner seeks confirmation of admission in the first year Pharm D course. Learned counsel for the petitioner relies on the brochure published (Page 42) to suggest that, one who is seeking admission to first year Pharm D course can be given admission without passing MHT-CET 2017. The candidate has to pass Diploma in Pharmacy from an institution affiliated to State Board and having approval of competent Central Authority and State Government and obtain at least 50%. The learned counsel for the petitioner submits that the petitioner fits into the said criteria.

2. The learned AGP submits that, passing of MHT-CET 2017 is compulsory. There is no escape for the candidates from passing MHT-CET and get at least 50% marks in MHT-CET 2017.

3. The relevant rule is quoted in the affidavit-in-reply which reads thus:

“The Eligibility conditions and requirements for admissions of Pharm D course is as follows :

Maharashtra State Candidature and All India Candidature Candidates,-

(i) The candidate should be an Indian National;

(ii) Passed HSC or its equivalent examination with subjects Physics and Chemistry as compulsory subjects along with one of the Mathematics or Biotechnology or Biology and obtained at least 50% marks (at least 45% marks in case of candidates of Backward class categories and Persons with Disability belonging to Maharashtra State) in the above subjects taken together;

Or

(iii) Passed Diploma Course in Pharmacy from institutes affiliated to State Board and having approval of competent central authority and State Government and obtained at least 50% marks (at least 45% marks in case of candidates of Backward class categories and Persons with Disability belonging only to Maharashtra State);

(iv) The candidate should have obtained at least 50% marks in the CET;

Which indicates the Diploma passed candidates also have to appear for CET and should have

obtained at least 50% marks in CET.

Candidates who have not appeared and obtained at least 50% marks in CET are not eligible for admission to Pharm D course through CAP as well as Institution Level Admissions. Hereto annexed and marked as Exhibit "1" is the copy of Extra Ordinary Gazette No. 102 published on Dt. 24-04-2017."

4. Admittedly, the petitioner has not appeared for MHT-CET 2017 examination.

5. In light of that, the case of petitioner cannot be considered. Writ Petition is, accordingly, dismissed. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde