

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13236 OF 2018

Ashwini d/o Ramesh Ovhal .. Petitioner
Versus
The State of Maharashtra & ors .. Respondents

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Mr. R.M. Jade for the petitioner.
Mr.S.B. Kalel, AGP for respondent nos.1 and 2.
Dr.Santosh M. Koyande, Assistant Professor present.

**CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 6th DECEMBER, 2018

P.C:-

1 We have heard both sides and we find that by the impugned order, the petitioner's admission has been cancelled.

2 The admission was granted under a mistake. There is an explanation provided in the affidavit-in-reply and which is consistent with the original records.

3 We have also called for the original records and in the presence of both sides. In the original record, there is a result sheet which indicates clearly that there was a deserving and meritorious candidate who had been kept out illegally from

the process and instead, by mistake, the petitioner was admitted. The impugned order corrects that mistake and we cannot attribute lack of bonafides or arbitrariness to the respondents.

4 As a result of the above, we do not find any merit in the petition. It is dismissed. We accept the statement of Shri Kalel made in the presence of the concerned Official as an undertaking to the effect that within a period of two weeks from today, all original documents forwarded by the petitioner at the time of admission would be returned to her so also the monetary deposit of Rs.40,090/-.

5 The Writ Petition is dismissed subject to above.

6 There will be no order as to costs. The original records be returned to Shri Kalel, learned AGP.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)