

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION {L} NO.3366 OF 2018

Advaita Makarand Lonkar Petitioner
Vs.
The State of Maharashtra & Others Respondents

Mr. R.S. Apte, Senior Advocate, with Ms Leena Patil
for the Petitioner.

Ms Jyoti Chavan, AGP, for the Respondent-State.

Mr. S.S. Patwardhan for Respondent No.2.

Mr. Jayant Patil, Asstt. Exam Co-ordinator, present.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : OCTOBER 09, 2018

P.C:

1. The petitioner before this Court has complained that though the eligibility criteria has been satisfied by her, still, she has received a communication from the 5th respondent-college with regard to cancellation of the admission and to the Three Years' Bachelor's Degree in law course.

2. After this petition was placed before us, we

requested Mr. Patwardhan to accept notice and appear on behalf of respondent No.2.

3. At our request, Mr. Patwardhan has appeared and taken instructions from the Commissioner.

4. On instructions by Mr. Jayant Patil, Assistant Exam Co-ordinator present in Court, it is stated by Mr. Patwardhan that as far as the petitioner is concerned, though initially the 5th respondent-college through its Principal communicated that the admission granted to her is cancelled but that cancellation has not taken effect, in the sense the decision was not forwarded to the Competent Authority, the 2nd respondent before us. In the meanwhile, the college (5th respondent) recalled its earlier decision of cancellation of the petitioner's admission. Thus, there is no cancellation of the petitioner's admission.

5. The sum and substance of the above is that the petitioner continues to be a *bona fide* student of the 5th respondent-college in the subject-course. Though the admission is treated as provisional, in the light of the above developments,

we have no hesitation in accepting the statement of Mr. Patwardhan and as an undertaking to this Court. In view thereof, the petitioner's admission shall be treated as permanent and not provisional or temporary any longer. The petitioner must be taken as a *bona fide* student and satisfying the eligibility criteria for the admission so that her further studies are not hampered. The writ petition is disposed of without examining any larger issue or controversy.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)

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