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

WRIT PETITION NO.4606 OF 2019

Laxmi d/o Balchandra Gadekar
Age 31 years, Occ.Medical Practitioner
R/o Jalgaon (Sapkal)
Tq.Bhokardhan, Dist. Jalna
(At present Pune)

..PETITIONER

VERSUS

1. The State of Maharashtra
Through its Secretary
Social Welfare Department
Mantralaya, Mumbai.
2. The Principal,
Siddakala Ayurveda
Mahavidyalaya, Sangamner,
Tq.Sangamner, Dist.Ahmednagar
3. The Registrar,
Maharashtra Health Science,
University, Mhashrul,
Dindori Road, Nasik
4. Vasant Kusum Rural Yog and
Ayurvedic Pratisthan,
Pimalner Road, Sangamner (kh)
Dist. Ahmednagar
Through its President
5. The Chairman,
Education Fees Committee and
Admission Control Committee,
3rd Floor, Government Trantraniketan,
Building, Khewadi, Wandra (East)
Mumbai-400051
6. The Social Welfare Officer,
Abhivishwa Complex, Bhulegaon Phata,
Nagapur MIDC, Ahmednagar

..RESPONDENTS

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Mr V. B. Anjanwatikar, Advocate for petitioner;
Mrs V.N. Patil - Jadhav, A.G.P. for respondent No.1

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 11th April, 2019

ORAL ORDER:

Heard.

2. With the consent, taken up for final disposal at admission stage.
3. In the academic year 2008-09, the petitioner having secured 69.67% marks in 12th standard was admitted to B.A.M.S. course conducted by respondent no.4 college. The petitioner, Koshti by caste belongs to Special Backward Class and pursuant to the demand made by respondent no.4 college she has submitted her caste certificate also.
4. It is the claim of the petitioner that being a female candidate belonging to Special Backward Class candidate she is entitled for scholarship from the State authorities and having not received the same, when inquired, she came to know about a serious mistake committed by respondent no.4 college in granting her admission against the management quota seat. The documents which are placed on record, viz. the communication issued by respondent no.4 college through its Principal to the various authorities speaks of the recommendation of the case of the petitioner for award of scholarship, thereby indirectly admitting the mistake

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that the petitioner was admitted against management quota seat, instead of reserved category seat.

5. In the aforesaid background, the representation that was preferred by the petitioner for release of scholarship was directed to be decided by the competent authority as is reflected in the Division Bench order of this Court passed on 29th June, 2018 in Writ Petition No.3327 of 2017.

6. In the aforesaid background, it is noticed that on 19th January, 2019 the Central Admission Committee i.e. respondent no.5 forwarded the representation of the petitioner to respondent – Director, AYUSH, for release of scholarship of the petitioner.

7. Perusal of the aforesaid communication issued by respondent no.5 to the Director, AYUSH reflects that the same remained pending before the Director for a period of almost more than last three months.

8. In the aforesaid background, considering the fact that the petitioner is required to repay her educational loan and in view of the various communications issued by respondent – management recommending the case of the petitioner for award of scholarship, to which she is otherwise entitled but for her admission against management quota seat, we feel it appropriate to direct the Director, AYUSH, Mumbai, to decide the representation of the petitioner dated 8th January, 2019 forwarded by

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respondent no.5 Commissioner, State Common Entrance Test Cell, within a period of eight weeks from the date of production of this order.

With above observations the petition stands disposed of.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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