

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11234 OF 2019

DR. ABHIJIT MAGAN MORE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners :
Mr. V. D. Hon i/b. Mr. Hon Ashwin V.
AGP for Respondents / State : Mr. S. B. Pulkundwar
Advocates for Respondent No. 3 : Mr. U. M.
Bopshetty and Mr. Ajit Gaikwad (Patil)

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CORAM: S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE: 13th SEPTEMBER, 2019

PER COURT:

1. Mr. Hon, learned Senior Advocate for the petitioners submits that the petitioners were selected for admission to the DCH course. In the second select list their names appeared, however admission is not given to the petitioners. The learned Senior Advocate submits that respondent no. 2 had even given representation to the DMER to grant permission for admitting petitioners in the course of PG - DCH for the academic year 2019 - 2020, as per the selection made by respondent

no. 3. The same has not been accepted by DMER. According to the learned Senior Advocate, the petitioners are not at fault. They are entitled to get admission as per the select list.

2. Mr. Bopshetty, learned Advocate for respondent no. 3 submits that DMER did not accept the request of respondent no. 2 to convert the five post graduate seats for DCH. The learned Advocate submits that, respondent no. 3 is going to conduct mop-up round to fill the vacant seats. The petitioners may appear at 09:00 AM on 14.09.2019, and the petitioners may get the opportunity to compete with others for allotment of seats and give their preferences.

3. Respondent no. 2 cannot be directed to admit the petitioners in absence of the permission been granted by the DMER. We cannot direct admission of the petitioners to the course for which permission has been negatived, though the names of the petitioners appeared in the select list.

4. As contended by the learned Advocate for respondent no. 3, the petitioners have further opportunity to participate in the mop-up round to be conducted on 14.09.2019 at Mumbai and give their preferences. The petitioners are at liberty to avail the said opportunity.

5. with these observations, the writ petition is disposed of. No costs.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]

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