

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

WRIT PETITION NO.11265 OF 2019

Aditya Kishor Soni through
uncle Satish Harikisan Soni

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr Vinod P. Patil, Advocate for petitioner
Mr K.B. Jadhavar, A.G.P. for respondents no.1
Mr M.D. Narwadkar, Advocate for respondent no.2
Mr K.C. Sant, Advocate for respondent no.3

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 11.09.2019

ORAL ORDER :

1. Mr Patil, learned counsel for petitioner submits that the petitioner had appeared for H.S.C. examination in March-April 2019 and he has secured 149 marks. As per Government Resolution dated 20.10.2016, petitioner had appeared in June/August 2019 examination of H.S.C. for improvement. The petitioner is orally told that he has secured 153 marks and as such would be eligible for admission for the M.B.B.S. Course. Learned Counsel for petitioner submits that for some reasons, the mark-sheet is not issued to the petitioner. The respondents be directed to consider the petitioner for admission to M.B.B.S. Course as 12th September 2019 would be the date for filing of residual vacancy.

2. Mr Narwadkar, learned Counsel for respondent no.2 submits that even for the institutional round, in private unaided medical colleges the eligible desirous candidates has to apply in person to respective college from 9th September 2019 to 10th September 2019 up to 3.00 p.m. and the merit list from selection list is published on 10th September 2019. In

view of that, the case of the petitioner cannot be considered. Learned Counsel further submits that the petitioner has to apply before the last date for physical verification of the documents and the same is 3rd April 2019.

3. We would have considered the case of the petitioner had the petitioner approached this Court before 9th September 2019. Moreover, as on date, the petitioner does not have the mark-sheet and in absence of mark-sheet, it would not be appropriate to consider the case of the petitioner. Further, the selection list has also been published on 10th September 2019 and the candidates are required to join as per first selection list on 11th September 2019. The list of the selected candidates is also published on 11th September 2019 and the second selection list is published on 11.9.2019.

4. In light of the aforesaid, we cannot issue any direction to the respondents.

5. Writ Petition accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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