

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

923 WRIT PETITION NO.13750 OF 2018

SHITAL ASHOK TUPE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Veer Shrikant T.

AGP for Respondent State: Mr. S. M. Ganachari

Advocate for Respondent No.2 : Mr. S. G. Karlekar

Advocate for Respondent No.3 : Mr. Ashwin V Hon

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 14th February, 2019

PER COURT :

1. It is submitted that the petitioner was at Serial No.2 in the list of admission to B.A.M.S. Course 2018-19 with respondent No.3. However, the petitioner was denied admission on the ground that petitioner was required to produce Gap Certificate before 3 O'clock and the petitioner has produced the said certificate at 4.00 O'clock. The petitioner was found eligible from S.C. Category. It is submitted that the petitioner has validity certificate of Scheduled Caste.

2. Under the order of Apex Court, the date for admission is extended to 15th February, 2019 for B.A.M.S. Course. It is also submitted by Mr. Hon, learned counsel for respondent No.3 that vacancy for

open candidate is still available.

3. As the date for admission is extended till 15th February, 2019, respondent No.3 may admit the petitioner on the seat meant for open category, subject to payment of fees as may be permissible in law and forward the same to respondent No.2.

4. Writ petition is accordingly disposed of. No costs.

5. Authenticated copy be supplied.

(A. M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

JPC