

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO.15514 OF 2019

ADITYA AYURVED COLLEGE AND RESEARCH CENTRE
THROUGH ITS AUTHORISED SIGNATORY
VERSUS
UNION OF INDIA THROUGH THE SECRETARY AND OTHERS

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Mr. D.S.Bagul, Advocate for the petitioner.
Mr.S.B. Deshpande, A.S.G. for respondent No.1.
Smt. M.A. Deshpande, A.G.P. for the State.
Mr. M.D. Narwadkar, Advocate for respondent No.3.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 19th December 2019.

ORDER :-

. All is not well with the functioning of the respondents / Authority.

2. The last date for admission to UG (BAMS) Course was 15th October 2019. The last date of the admission through CAP round was 25th September 2019.

3. After last date for admission is over, the Institutions are not permitted to admit the students and even though seats go vacant.

4. Respondent No.1 directed respondent Nos.2 and 3 to extend the cut-off date for admission to First Year B.A.M.S. Course at Bhimashankar Ayurved College, Wadgaon, Taluka Ambegaon, District Pune permitting the admission of the students at institutional round. Pursuant thereto the respondent Nos.2 and 3 permitted said Bhimashankar Ayurved College to admit the students upto 26th December 2019.

5. Similarly, the orders are passed by respondent No.1 extending the date of admission at the institutional level round to one Dr. R.B. Singh Gaya Homeopathic Medical College and Hospital upto 14.12.2019. A reference is made to the order of the High Court of Delhi. Perusal of the order of High Court, we do not find any such directions given by the High Court to extend the date of admission to the said College. Similarly, such arrangement is made to one Excel Homeopathic Medical College, Namakkal, District Tamilnadu. Last date for admission to the said college is extended upto 12th December 2019.

6. In the present case, the petitioner has been granted permission to run B.A.M.S. Course on 4th October 2019. The affiliation has also been granted by the University

on 7th October 2019. Name of the petitioner is not included in the list of eligible institution to admit the students only on the ground that permission is granted after CAP round is over. No Rule is pointed out to suggest that if affiliation and permission is granted after CAP round, the institution cannot be included in the list of eligible institution to admit the students at the institutional level, though in the present case last date for institutional round was 15th October 2019.

7. The petitioner had approached respondent Nos.1 and 2 to include his name. The same is not included. Now the petitioner relies on the three illustrations referred to above to contend that a particular institution is favoured and granted permission to admit the students even after 26th December 2019. The petitioner seeks parity.

8. It is for the respondents to take decision in that regard.

9. Respondent No.1 may take decision on the representation (dated 17th October 2019) of the petitioner to direct respondent Nos.2 and 3 to allow the petitioner to admit the students at the institutional round by extending the cut-off date on its own merits. The reliance is placed on the aforesaid illustrations for the said purpose.

10. Respondent No.1 may take decision by 23rd December 2019 about representation of the petitioner to direct respondent Nos.2 and 3 to extend the cut-off date for admission of the students of B.A.M.S. Course.

11. Parties to act on authenticated copy of this order.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)

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