

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (L) NO. 27199 OF 2019

Mr.Avinash Shivmurat Singh	}	Petitioner
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr.Rajesh Singh with Mr.Deepak Singh and Mr.Rahul Singh for the petitioner.

Mr.Rui Rodrigues for respondent no. 2.

Mr.M.M.Pable-AGP for respondent nos. 1 and 3.

Dr.S.K.Mahajain-Exam Coordinator, State CET Cell present.

**CORAM :- S. C. DHARMADHIKARI &
R. I. CHAGLA, JJ.**

DATED :- NOVEMBER 6, 2019

P.C. :-

1. Heard Mr.Singh appearing for the petitioner and Mr.Rui Rodrigues appearing for respondent no.2. Respondent nos. 1 and 3 are represented by the learned AGP. The fourth respondent is a college in which the petitioner has been admitted.

2. The petitioner was pursuing his education in Computer Engineering. He is the diploma holder in Computer Technology from Vidyanvardhini's Bhausaheb Vartak Polytechnic College, Vasai, District Palghar. On the strength of this diploma, he could

take admission directly to second year of four year degree courses in Engineering and Technology for the academic year 2019-20. He, therefore, made an application to the second respondent for admission to this course. The provisional allotment/ admission was granted under the Central Admission Process Round II. The petitioner was allotted a seat in the college of the fourth respondent for the course of Engineering and Technology. The provisional allotment is published on 21st August, 2019. The petitioner did not immediately report to the college for he was of the opinion that it was far away from the place of his residence. The petitioner sought a betterment or took a chance to improve upon the initial allotment. He participated in the Central Admission Process Round III. The outcome of this round was notified on the website of the second respondent and the petitioner's admission with the fourth respondent college was confirmed. The petitioner was not given any better institution or allowed to improve his chances. The petitioner was given time up to 1st September, 2019 to report at the institution.

3. The petitioner says that he contacted the college on 30th August, 2019 and he was informed that he should come to the college and pay the fees of Rs.1 lakh. That should be paid on or before 1st September, 2019.

4. Today, it is argued before us that there was no adequate time given or allotted to the petitioner to report for admission at the fourth respondent college. However, in the writ petition, it is also averred that it was very difficult to arrange the huge amount of Rs.1 lakh in a short span of time. Surprisingly, this argument is given a go-by and it is contended that the publication on the website may be dated 29th August, 2019, but it was noticed by the petitioner on 30th August, 2019. 30th August, 2019 was a Friday and 31st August, 2019 was a Saturday. The 1st September was Sunday. Consequently, the petitioner found it difficult to go to bank to arrange for money or on account of heavy rains, report to the college. 2nd September, 2019 was a public holiday on account of Ganesh Chaturthi. In all this, the petitioner lost the opportunity to get admission to second year Engineering course. The petitioner made a representation, but no authority is meeting him.

5. On a perusal of the writ petition and annexures thereto, we do not think that we can grant any relief, particularly a direction to admit the petitioner in the college and allow him to pursue the course. There are deadlines and it is impossible that students like the petitioner are unaware of the same. Pertinently, the petitioner was aware that he was allotted the college on 21st August, 2019. Between 21st August, 2019 to 29th August, 2019, the petitioner does

not report to the college, but participates in another Round No. III to improve his chances. In this betterment round, the petitioner was not lucky to obtain admission in any other institution. His admission, which was provisionally granted in the fourth respondent college, was confirmed. There was an additional time given and to our mind, the petitioner cannot complain at all. If he could not arrange for money initially, then, he had adequate time from 21st August, 2019 to 28th August, 2019. The petitioner does not, in the course of his oral arguments, press his financial difficulty, but says that during 29th August, 2019 to 31st August, 2019 he could not report for admission at the college. The petitioner could have reported at the college on 31st August, 2019 itself if he had noticed the website publication on 30th August, 2019. Pertinently, he did contact the college (fourth respondent) and one of the staff members clearly told him to report on or before 1st September, 2019.

6. It is in these circumstances and when students are fully conversant with the process of admission, the mode and manner of seeking it and that there is no other publication except the website of the concerned Directorate, all the more we are disinclined to grant any relief in writ jurisdiction. This is not a case of any genuine difficulty faced by a student on account of poverty or otherwise, who is unable to seek admission.

7. The writ petition is clearly afterthought. It is dismissed.
There would be no order as to costs.

(R.I.CHAGLA, J.)

(S.C.DHARMADHIKARI, J.)