

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2179 OF 2021

Hariom S/o Sanjay Vibhute

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr S.M. Vibhute, Advocate for Petitioner
Mr S.R. Yadav (Lonikar), AGP for Respondent-State
Mr Karlekar, Advocate for Respondent No. 2

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 2nd FEBRUARY, 2021

PER COURT :

1. Mr Vibhute, the learned counsel submits that the petitioner was allotted respondent No. 3 - College from Scheduled Tribe category. The petitioner was required to submit validity certificate on or before 30th January, 2021. The petitioner was issued with the validity certificate on 30th January, 2021 late in the evening. On 31st January, 2021, there was holiday. The petitioner approached the respondent No. 3 for submitting validity certificate on 1st February, 2021. The same is not accepted on the ground that validity was to be submitted before 30th January, 2021.

2. Mr Karlekar, the learned counsel appears for respondent No. 3 and submits that the schedule is crystal clear. The validity certificate is to be submitted on or before 30th January, 2021. The extended date up to 5th February, 2021 is for institutional round.

3. It appears that the petitioner is not at fault. The petitioner claims to have approached respondent No. 3 on 1st February, 2021. It appears that the delay was at the behest of the Scrutiny Committee in delivering the validity certificate.

4. The petitioner is already possessing the validity certificate as on the last date for submission of validity certificate. The petitioner's admission may not be cancelled on the ground that the petitioner was not having the validity certificate, if the same seat is not allotted to another candidate. The petitioner may submit the validity certificate immediately.

5. In case the seat that was allotted to the petitioner is already allotted to other candidate, then the present order may not be of any help to the petitioner.

6. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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