

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

WRIT PETITION NO. 2529 OF 2021

Pragati Anil Birare

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. S. R. Sirsat, Advocate h/f Mr. K. J. Suryawanshi, Advocate for the Petitioner.

Mrs. V. S. Chaudhary, AGP for Respondent Nos. 1 and 3.

Mr. M. D. Narwadkar, Advocate for Respondent No. 2.

Mr. M. D. Gitte, Advocate for Respondent No. 4.

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

DATED : 15th February, 2021.

PER COURT:-

. The petitioner seeks directions against the respondent No. 4 college to admit the petitioner for the first year Pharmacy course.

2. The learned counsel for the petitioner submits that the petitioner was allotted respondent No. 4 college from SC category. Her caste claim was also validated. The reporting dates for admission in the allotted institution was from 27.01.2021 to 29.01.2021. The petitioner confirmed her admission by depositing Rs. 1000/- (Rupees One Thousand only) on 28.01.2021 through online. However, the petitioner personally could not report to the respondent No. 4 college on or

before 29.01.2021 because the petitioner was suffering from illness and was under treatment from 29.01.2021 to 02.02.2021 in Shankar Memorial Hospital. On 02.02.2021 the petitioner approached respondent No. 4 college for completion of admission process personally. The respondent No. 4 did not agree. According to the learned counsel, on 02.02.2021 the petitioner made an application to respondent No. 3 to permit her to resume the college, but the petitioner is not allowed to resume the college. The admission of the petitioner be protected. There are vacant seats available with respondent No. 4 college. The petitioner is meritorious student.

3. Mr. Narwadkar, learned counsel for CET Cell submits that 30.01.2021 was the last date for submission of all the documents to the college. The petitioner did not submit the documents and admission stood automatically cancelled. In the evening of 30.01.2021 time was only granted to the college to upload the documents. As the petitioner did not submit the documents, it was deemed that the petitioner is not interested in admission. The learned counsel relies upon the information brochure for admission to Under Graduate Technical Courses more particularly, clause (i), (k) of clause 12.

4. The learned counsel for respondent No. 4 college submits that the petitioner did not approach the college up to 30.01.2021. For the

first time the petitioner approached the college on 02.02.2021. The learned counsel submits that the seats are vacant with respondent No. 4 college.

5. The Court would not normally interfere with the cut of dates fixed by the authorities. It is a fact that the petitioner did not approach respondent No. 4 college to submit all the documents up to the last cut of date. The petitioner had also not applied for institutional round.

6. The petitioner contends that the petitioner was under treatment during the said period. The college confirms that the petitioner has submitted all the documents only on 02.02.2021.

7. In the light of that we leave it to the respondent No. 2 to consider the case of the petitioner on its own merits. It is for the respondent No. 2 to take decision upon it considering the facts as narrated above.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.