

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

WRIT PETITION NO. 4558 OF 2021

Feroj Ajij Khan

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Kamble Shirish M, Advocate for the Petitioner.

Shri S. K. Tambe, A.G.P. for the Respondent No. 1.

Shri S. S. Thombre, Advocate for the Respondent/University.

**CORAM : S. V. GANGAPURWALA AND
R. G. AVACHAT, JJ.**

DATE : 12TH MARCH, 2021.

FINAL ORDER :

1. Mr. Kamble, the learned advocate for the petitioner submits that, the petitioner has filled in the form from physically disabled category. The U.G.C. Regulations prescribes relaxation of 5% marks. So persons securing 45% marks shall be considered as pass and eligible. The petitioner had appeared for entrance test for Ph. D. The petitioner secured 47 marks. Five per cent relaxation has to be given. The UGC Regulation is not followed by the respondent/university. The Mumbai university also accepted the same.

2. Mr. Thombre, the learned advocate for the respondent/university submits that, Dr. Babasaheb Ambedkar Marathwada University Aurangabad has not provided relaxation of marks for the physically disabled candidates. The respondent/

university has not adopted the UGC Regulations so far as relaxation of marks to the physically disabled candidates are concerned.

3. The petitioner is seeking admission to the Ph. D. course with the respondent/university. The petitioner would be bound by the regulations of the respondent/university. If regulations of the respondent/university do not permit relaxation of marks for physically disabled candidates, then the benefit of the UGC Regulations cannot be given to the petitioner. The petitioner has also not assailed the regulations of the university not providing relaxation of marks to the physically disabled candidates.

4. In the light of that, no relief can be granted to the petitioner. The writ petition as such is disposed of. No costs.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 21