

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

**WRIT PETITION NO. 6285 OF 2021**

Jaspal Mahendrasingh Girase

.. Petitioner

Versus

The Admission Regulating Authority  
and others

.. Respondents

Mr. Gajendra Devichand Jain, Advocate h/f Mr. D. S. Bagul, Advocate  
for the Petitioner.

Mr. M. D. Narwadkar, Advocate for Respondent No. 1.

Mr. S. P. Tiwari, AGP for Respondent No. 2.

Mr. C. A. Jadhav, Advocate for Respondent No. 3.

**CORAM : S. V. GANGAPURWALA &  
R. N. LADDHA, JJ.**

**DATED : 29<sup>th</sup> September, 2021.**

**PER COURT:-**

. The petitioner is admitted from VJ category for the BAMS course with respondent No. 4 college. The admission of the petitioner is not approved on the ground that the petitioner failed to submit the validity certificate.

2. Heard learned counsel for the petitioner.

3. Mr. Narwadkar, learned counsel for the respondent No. 1 submits that the petitioner failed to produce the validity certificate and Non

Creamy Layer certificate. In view of clause 9.1.5.1 of the admission brochure, the admission of the petitioner cannot be approved. He shall be deemed to be admitted from Open category. In view of the same, no error is committed by the respondent No. 1.

4. The petitioner is possessing the validity certificate of Rajput Bhamta VJ issued on 17.10.2012. It appears that, the same was misplaced. The petitioner also has the Non Creamy Layer certificate valid up to March 2022. The Ayush Director had given opportunity to rectify the defects of the document on the relevant date. When the defects were sought to be rectified, the petitioner submitted the documents with the college, thereafter college forwarded it much before the due date. The directions were given by Ayush to rectify the documents. The petitioner had placed the documents on record. The petitioner possessed the validity certificate of VJ in the year 2012 itself.

5. Considering that the petitioner possesses necessary documents and it was only as the validity certificate was misplaced the same could not be placed on record, we direct that, the approval to the admission of the petitioner may not be refused only on the ground that on date the admission was given the petitioner has not filed validity certificate and Non Creamy Layer certificate.

6. It appears that, the respondent No. 4 college is also partly to be blamed. The respondent No. 4 college ought to be diligent and should have verified that all the necessary papers are available as on the last date of admission itself.

7. We have passed the aforesaid order as the petitioner was issued and possessing documents before the given date, however, had misplaced on the said date.

8. With these aforesaid observations, writ petition is disposed of. No costs.

**( R. N. LADDHA )**  
**JUDGE**

**( S. V. GANGAPURWALA )**  
**JUDGE**

PS.B.