

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

**901 REVIEW APPLICATION (CIVIL) NO.105 OF 2021
IN
WP/1826/2021**

**THE DEPUTY INSPECTOR GENERAL OF POLICE GROUP
CENTRE
VERSUS
VISHAL GULABRAO WAVHALE AND OTHERS**

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Advocate for Applicant: Mr. Dhongade Anilkumar B.
Advocate for Respondent No. 1: Mr. D. D. Sarwade
AGP for Respondents No. 2&3: Mr. S. P. Tiwari

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

DATE: 26th NOVEMBER, 2021

PER COURT:

1. Mr. Dhongade, the learned Counsel submits that this Court on 08.04.2021 disposed of the Writ Petition by directing that the Petitioner may resubmit the appeal within 7 days and that the Appeal shall be decided on its own merits.

2. It is submitted by the learned Counsel that the Petitioner has secured less marks than the cut-off marks as such is not entitled to be considered for selection process. This fact could not be brought to the notice of the Court while passing the order under Review.

3. Mr. Sarwade, the learned Counsel for the Respondent supports the order under Review.

4. While deciding the Writ Petition filed by the present Respondent, we had observed that rejection of an appeal was on too technical ground. It was in the light of that we had permitted the Petitioner therein to submit the photos attested by the Medical Officer only in appeal Form No. 3 and the same shall be done within 7 days.

5. In the order under Review we have not given directions regarding selection of the Writ Petitioner. It may happen that even if the appeal is allowed the Original Writ Petitioner if he has secured less marks than the cut-off marks may not be eligible for the admission. However, that was not the matter in issue in the writ Petition at all.

6. With the aforesaid observations, the Review Application is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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