

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

WRIT PETITION NO.6483 OF 2021

**AVINASH VINAYAK KAMBLE
VERSUS
COMPETENT AUTHORITY/COMMISSIONER AND OTHERS**

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Advocate for Petitioner : Mr. Sharad V. Natu
Advocate for Respondent No.1 : Mr. M. D. Narwadkar
Advocate for Respondent No.2 : Mr. Suhas R. Shirsath
Advocate for Respondent No.3 : Mr. A. R. Joshi

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

DATE : 03rd SEPTEMBER, 2021

PER COURT :

1. The petitioner had applied for admission to the LL.B. Course. According to Mr. Natu, learned counsel for petitioner, respondent No.2 – College admitted the petitioner. Rs.5,000/- as a fee was also deposited. Subsequently, the petitioner was not allowed to appear for classes and was informed that the admission of the petitioner was canceled. On one hand respondent accepted Rs.5,000/- as a fee, though only Rs.1,000/- was required to deposit, and now after the last date of admission process is over, informed the petitioner that his admission is canceled. The same is illegal.

2. Mr. Shirsath, learned counsel for respondent No.2 – College submits that, in fact, the petitioner had not confirmed

admission by depositing Rs.1,000/- by Candidate's login. The petitioner was contacted via telephone also, but did not respond. After the period of admission was over, the petitioner has further pressurized the staff to accept Rs.5,000/- and the staff has given in writing that the same is accepted, pending the admission. According to the learned counsel, the respondent College is ready to refund the amount paid by the petitioner and return all the original documents submitted by the petitioner.

3. Now, it will be too late for us to consider the cause of cancellation of admission of the petitioner as the last date of admission is over and it is also reported by the CET Cell that all 66 students are admitted with respondent No.3 and no vacancy exists. In the light of that, we are not entering into the other aspects of the matter. Respondent No.2, as agreed, shall immediately refund the amount and the original documents deposited by the petitioner, within a period of one week from today.

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

(R. N. LADDHA, J.)

(S. V. GANGAPURWALA, J.)