

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

967 WRIT PETITION NO.12970 OF 2021

YASHR SUJAT SAYYAD

VERSUS

THE DIRECTOR GENERAL, MAHARASHTRA COUNCIL OF
AGRICULTURE AND RESEARCH AND ANOTHER

...

Advocate for Petitioner : Mr. Yogeshwar L. Bidve.

AGP for Respondent/State: Mr. A. R. Kale.

Advocate for Respondent No.1: Mr. S. K. Kadam.

Advocate for Respondent No.2 : Mr. M. N. Nawandar.

...

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

DATE : 25th November, 2021.

P.C.:

. We have heard the learned counsel for petitioner.

2 Mr. S. K. Kadam, learned counsel appears for respondent No.1.

Mr. M. N. Nawandar, learned counsel appears for respondent No.2.

3 The learned counsel for petitioner submits that the petitioner could get the validity certificate from the Committee only on 12th November, 2021 and he approached the respondents on 15th November, 2021. The learned counsel submits that the second round is to end today. The case of the petitioner be considered for admission to the college affiliated with respondent No.2. According to the learned counsel, it is not the fault of the petitioner in not getting the validity

within the stipulated period.

4 Mr. Nawandar, learned counsel for respondent No.2 submits that the admission process is controlled by respondent No.1,

5 Mr. Kadam, learned counsel for respondent No.1 submits that the petitioner has to submit the validity with on-line application as per the Rules and the directions of the Apex Court. The last date for submission of application form was 2nd November, 2021. The petitioner admittedly was not possessing the validity certificate on the said date. The period of reporting for second round was from 23rd November, 2021 to 25th November, 2021 upto 05:30 pm. The same also is now not possible.

6 We have considered the submissions.

7 It appears that the petitioner had applied for admission to Second Year B.Sc (Hons.) (Agriculture) degree course from OBC category. Naturally the petitioner is required to produce the validity certificate. The petitioner produced the validity certificate with the authority only on 15th November, 2021. On the said date, the final merit list was already displayed and the first round allotment list was displayed on 16th November, 2021. Naturally, in absence of validity

certificate the petitioner could not have been considered by the respondents.

8 As now the petitioner is possessing validity certificate and it was not in the hands of the petitioner to get the validity certificate within the stipulated period, the respondent No.1 shall consider the petitioner from OBC category on the basis of validity certificate produced by him and in case the petitioner is otherwise eligible for central wise on-line admission process round to be held from 29th November, 2021 to 1st December, 2021.

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

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

nga