

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.103 OF 2021

Samir s/o Shishir Gokhale,  
aged 18 years, occupation : Student,  
r/o D-2/002, Western Hills,  
Survey No.45/1-2, SUS,  
Pune-411021.

... Petitioner

- Versus -

- 1) Maharashtra Animal and Fishery  
Sciences University, Nagpur, through  
its Registrar, Futala Lake Road,  
Nagpur – 440001.
- 2) The Director of Instructions and Dean,  
Faculty of Veterinary Sciences,  
Maharashtra Animal and Fishery  
Sciences University, Futala Lake Road,  
Nagpur – 440001.
- 3) Indian Council of Agricultural Research,  
Agricultural Education Division,  
through the Assistant Director General  
(HRD), Krishi Anusandhan Bhawan-II,  
Pusa, New Delhi – 110012.

... Respondents

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Shri B.G. Kulkarni, Advocate for petitioner.

Shri A.R. Patil, Advocate for respondent nos.1 and 2.

Shri S.S. Ghate, Advocate for respondent no.3.

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CORAM : SUNIL B. SHUKRE AND  
AVINASH G. GHAROTE, JJ.

DATED : JANUARY 7, 2021

ORAL JUDGMENT (PER AVINASH G. GHAROTE, J.) :

Rule, returnable forthwith. Heard finally by consent of learned Counsel for the parties.

2) The present petition arises out of incorrect pin code given on the courier's parcel, which contained hard copy of the application of the petitioner.

3) The petitioner had applied for admission to the Bachelor of Veterinary Science and Animal husbandry Course in N.R.I. quota online on 22/11/2020. The hard copy of the application along with relevant documents was to be received by the respondent no.3 Indian Council of Agricultural Research on or before 10/12/2020. As the same was not so received, the candidature of the petitioner came to be rejected.

4) Shri Kulkarni, learned Counsel for the petitioner, submits that the hard copy of the application along with relevant documents was in fact despatched through Blue Dart courier on 25/11/2020 itself and copy of the receipt is placed at page 56

(Annexure “D”) of the petition. The address on which the application was to be despatched is given at page 42 of the petition. However, on the Courier parcel containing the Hard Copy, though the right address was put, pin code was incorrectly mentioned by the petitioner as “110001” instead of “110012”, which resulted in parcel being delivered to some other Office of Indian Council of Agricultural Research. However, the parcel was ultimately delivered to respondent no.3 Indian Council of Agricultural Research on 20/12/2020. It is because of this hiccup by the Courier Agency that the candidature of the petitioner, who is otherwise admitted to be duly qualified on merits, has been rejected.

5) Shri Patil, learned Counsel for the respondent nos.1 and 2, submits that there are still five seats vacant in N.R.I. quota and the petitioner is otherwise duly qualified for being granted admission to the said Course on merits.

6) Considering the above position, rejection of the candidature of the petitioner is accordingly set aside and the respondents are directed to grant admission to the petitioner to the aforesaid course. Rule is made absolute in terms of prayer clauses

(i) and (ii) of the petition subject to deposit of costs of rupees five thousand by the petitioner with the High Court Legal Services Sub-Committee, Nagpur.

It is made clear that the present decision is based purely upon facts of the matter and the same should not be considered as a precedent.

JUDGE

JUDGE

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