

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

Writ Petition No. 853/2021

Ku. Tanvi D/o Atul Koche

...Petitioner

Versus

State of Maharashtra and ors.

...Respondents

Shri A.B. Moon, Advocate for the Petitioner

Mrs. K. R. Deshpande, AGP for the Respondent Nos. 1 to 3 - State

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 15 FEBRUARY 2021

P.C.:

Heard learned Counsel for the Petitioner and learned AGP for the Respondent Nos. 1 to 3.

2 In view of the directions that is proposed to be issued, notice to other Respondents is not necessary.

3. The Petitioner is a student of Bachelor of Architecture. She has secured admission through CAP round with the Respondent No. 6 – Kamla Raheja Vidya Nidhi Institution for Architecture and Environmental Studies, Mumbai. The Petitioner is currently studying on provisional admission in Second Year (3rd Semester) with the Respondent No.7 - Institution of Design Education and Agricultural Studies, Nagpur.

The Petitioner was desirous of transfer to the Respondent No. 7 – Institute of Design Education and Architectural Studies, Nagpur. The transfer of students during the course is governed by Circular dated 27 July 2020 issued by the Respondent No. 2 – the Director, Department of Technical Education, Mumbai.

4. On 18 August 2020, when the Petitioner had applied for transfer through the College where the Petitioner was studying earlier, the request of the Petitioner was declined on the ground that requisite document, namely, Eligibility Certificate to be issued by the University was not available with the Petitioner.

5. The learned Counsel for the Petitioner states that the Petitioner now has the Eligibility Certificate and all the requisite documents as per aforesaid Circular which have been submitted to the Petitioner's College i.e. the Respondent No. 7 and the said Institution has also made a request to the Respondent No. 2- the Director, Department of Technical Education, Mumbai requesting for transfer of the Petitioner.

6. The learned Counsel for the Petitioner draws our attention to the said communication wherein the fact that the Petitioner's Application was not considered earlier for lack of document and that all the documents are now available with the Petitioner is stated in the Application.

7. In view of this factual background and ensuing examination of the Petitioner, it would be appropriate that the Respondent No. 2- the Director, Department of Technical Education, Mumbai to take a decision

upon communication dated 17 December 2020 made by the Respondent No. 7 – Institute of Design Education and Architectural Studies, Nagpur within a period of two weeks from the date of the order reaches to it and communicate the same to the Institution.

8. Writ Petition is accordingly disposed of in above terms.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]