

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

79 WRIT PETITION NO.1102 OF 2022
(WITH CIVIL APPLICATION (STAMP) NO.3263 OF 2022)

VITTHAL MAROTI BAINWAD
VERSUS
STATE COMMON ENTRANCE TEST CELL AND ANOTHER

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Mr.Mahesh S. Deshmukh h/f Mr.U.B. Gite, advocate
for the petitioner.

Mr. S.P. Tiwari, AGP for the respondent/State.

Mr.M.D. Narwadkar, advocate for respondent no.2.

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CORAM : S.V. GANGAPURWALA
AND

S.G. DIGE, JJ.

DATE : 31st JANUARY, 2022

PER COURT :-

1. We have heard Mr.Deshmukh, learned
advocate for the petitioner.

2. Mr.Deshmukh, learned advocate argued
the matter at length. One of the submission of
learned counsel for the petitioner is that the
say filed by the petitioner has not at all been
considered by the Committee. According to the
Committee, there appears to be two persons of the
same name. The petitioner has explained that
situation in his say filed before the Committee.
However, the Committee jumped to the conclusion
on the basis of the Headmaster's opinion. The
same is illegal. Detailed say was filed by the
petitioner explaining the situation. The same is
lost sight of by the Committee.

3. We have heard learned A.G.P.

4. Considering that the matter involves the social status of the petitioner, we are inclined to grant opportunity to the petitioner.

5. The impugned order is set aside. The matter is remitted back to the Committee. The petitioner shall appear before the Committee on 1st February, 2022 and put-forth his stand. No fresh vigilance is required to be conducted.

6. In view of the above, the Committee shall take fresh decision on or before 4th February, 2022.

7. We have directed the Committee to take decision on or before 4th February, 2022 because the petitioner is exploring possibility of getting admission to the professional course.

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

9. In view of the disposal of the Writ Petition, the Civil Application stands disposed of.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)