

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 WRIT PETITION NO.10684 OF 2021

RAVIKUMAR SAHEBRAO SHELKE AND ANOTHER
VERSUS
SHIVPRASAD COLLEGE OF PHARMACY MUKHED THROUGH ITS
PRINCIPAL REGISTERED AND ANOTHER

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Advocate for Petitioners : Mr. Sagar V. Patil
Addl. GP for Respondent No. 2 : Mr. P.S. Patil
Advocate for Respondent No. 3 : Mr. M.D. Narwadkar

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**CORAM : RAVINDRA V. GHUGE AND
S. G. DIGE, JJ.**

DATE : 12th APRIL, 2022

PER COURT :-

1. We have heard the learned Advocates for the respective sides for quite sometime.
2. There is no dispute that admission of these two petitioners was granted by the College and not by the State Common Entrance Test Cell, Maharashtra State, respondent No. 3- herein, one day after the last day i.e. cut-off date of admission, through the management quota. The admissions through the merit quota were concluded much earlier. It is also not in dispute that though respondent No. 3 had not sanctioned the admission to these two petitioners, Swami Ramanand Teerth Marathwada University, Nanded issued identity cards and examination admit cards. The petitioners appeared for their first year (1st and 2nd Semesters) for the academic year 2021-2022. It is a four years Bachelor of Pharmacy Course. Both the petitioners have passed the semesters of

the first year.

3. Having considered the disputed issue as to whether there was an electricity disruption on the last date of the admission, which is on 5th February, 2021 or as to whether the server of respondent No. 3 was dis-functional on 5th February, 2021, the management contends that it was fully functional. The main server was used for the whole State and no other admission process was truncated on account of purported server failure.

4. In view of the above, we expressed our disinclination to entertain this petition.

5. The learned Advocate for the petitioner submits on instructions that the parents-students desire to avail of the remedy under Regulation -9(5) (v) by which *“the Admissions Regulating Authority shall have power to review its own order after recording reasons thereof.”*

6. Respondent No. 3 has cancelled the admissions of these petitioners, on 10-11-2021.

7. The learned Advocate for respondent No.3 submits that if such review is filed, it would be considered on its own merits in the first meeting, which is likely to be held in the near future.

8. In view of the above, this petition is disposed off.

(S.G. DIGE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE