

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

995 WRIT PETITION NO.12856 OF 2021

**PRAKASH RAMESHRAO DONGARGAVE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. V.D.Gunale
AGP for Respondent Nos. 1 & 3-State : Mr. A.S. Shinde
Advocate for Respondent No. 2 : Mr. S.G. Karlekar
Advocate for Respondent No. 4 : Mr.Kadam Vikram S.

...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 15.09.2022.

PER COURT :

1. Leave granted to amend the petition so as to challenge the decision dated 22.10.2021, taken by respondent No. 2 Admission Regulatory Authority.
2. Amendment be carried out forthwith.
3. We have heard the respective Advocate of the parties.
4. The petitioners' grievance seems to be that after passing entrance test they had taken admission in respondent No. 5 Institute for B.Ed. Course. However, the proposal submitted by respondent No. 5 to respondent No. 2 (the Admission Regulatory Authority) has

been rejected by the order under challenge dated 22.10.2021. When respondent No. 2 was expected to take some decision in accordance with law, it was a bare requirement to provide sound and cogent reasons for refusing or turning down the proposal submitted by respondent No. 5 College, but the order is devoid of any ground. It merely and vaguely mentions about respondent No. 2 having gone through the documents and rules, without further indicating objectively as to for what exact reasons the petitioners' admission could not be approved.

5. Besides, it is apparent that the decision is being taken by respondent No. 2 merely by hearing respondent No. 5 Institute. The petitioners have not been heard. We feel it appropriate that respondent No. 2 shall take decision afresh and pass a reasoned order after hearing not only respondent No. 5 Institute, but also the petitioners.

6. We quash and set aside the decision dated 22.10.2021 and request respondent No. 2 to take fresh decision within eight weeks, in terms of observations made herein above, after giving an opportunity of being heard to respondent No. 5 Institute as well as the petitioners.

7. Petitioners shall remain present before respondent No. 2 on 30.09.2022 and may file their representation/s as they may intended to file. The period of eight weeks shall commence from the date of the petitioners' putting their representation/s.

8. The Writ Petition is disposed of.

(SANDEEP V. MARNE)
JUDGE

(MANGESH S. PATIL)
JUDGE

mahajansb/