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

904 WRIT PETITION NO.14462 OF 2021

RITESH SANJAY PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr H. H. Padalkar, Advocate for petitioner;
Mrs M. A. Deshpande, A.G.P. for respondent/State;
Mr M. D. Narwadkar, Advocate for respondent No.2;
Mr B. N. Patil, Advocate for respondent No.3;
Mr S. P. Katneshwarkar, Advocate h/f Mr P. R. Katneshwarkar,
Advocate for respondent No.4

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

DATE : 1st March, 2022

PER COURT:

1. The petitioner has put forth his petition in brief, as a very short issue has been raised. He claims to be a second year student in the course of Bachelor of Education (final year) for the academic year 2019-20. His first year result has been declared by the Swami Ramanand Teerth Marathwada University, Nanded, for the summer 2019 exam. He has scored 791 out of 1100 marks and his CGPA score is 8 (out of 10). The statement of marks is dated 04/10/2019. Therefore, in this petition, he simply prays for declaration of the result of his final year of the B.Ed. Course for the academic year 2019-20.

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2. The learned Advocate representing the Admission Regulating Authority, draws our attention to the instructions that apply to the students seeking admission, especially Clause 17, which mentions that *“the last date of uploading Caste Validity Certificate/Non Creamy Layer Certificate of the already admitted candidate is 18th September 2018. The Colleges should cancel the admissions of the candidates who have NOT submitted the Caste Validity Certificate or Non Creamy Layer Certificate before the deadline given above”*.

3. The petitioner received his Caste Validity Certificate on 13/11/2018 which is 55 days after the cut-off date. The Admission Regulating Authority considered the request of the college, in which the petitioner was admitted, on behalf of several candidates, to review the decision of cancellation of the admissions of the students. By an order dated 22/10/2021, even the review petition filed by the College has been rejected. He, therefore, submits that the Admission Regulating Authority has already cancelled the admission of the petitioner on 18/09/2018.

4. We are surprised by the fact that this decision of cancellation of the petitioner's admission was not officially communicated to him. This was also not officially communicated by the college to

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the Nanded University. The petitioner appeared for the exam in 2019 for the first academic year 2018-19, passed the exam and has also been admitted in the final year, which he has completed and he has also appeared for his final year exam. This, to us, seems to be extremely shocking and the college needs to be dealt with sternly for such acts.

5. Nevertheless, since this petition has been filed only for declaration of his final year result and as the petitioner is yet to challenge the cancellation of his admission, we expressed our disinclination. The learned Advocate for the petitioner submits that the petitioner would withdraw this petition and craves for liberty to file a fresh petition, challenging the cancellation of his admission and seeking relief of regularization of his admission and declaration of his final year result.

6. In view of the above, this petition is disposed off, as withdrawn, with liberty as is prayed for.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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