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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.104 OF 2022

Gargi Singh, since minor through her
father Commander (Dr.) Rakesh Kumar Singh .. Petitioner
v/s.
State of Maharashtra & 2 Ors. .. Respondents

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Ms. Pooja Thorat, i/b. P.V. Thorat, for the Petitioner.

Ms. P.H. Kantharia, GP, a/w. Ms. Jyoti Chavan, AGP, for
State/Respondent No.1.

Mr. Shriniwas Patwardhan, a/w. Mr. Sameer Khedekar, for Respondent
No.2.

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CORAM: SUNIL B. SHUKRE &
G.A. SANAP, JJ.

DATE : 31 MARCH 2022

P.C:-

Heard.

2. Learned Counsel for the Petitioner has made several submissions before us. All of them revolve around the question of discrimination. According to her, when the condition of passing of S.S.C. and H.S.C. Examinations from any State Board of Maharashtra

is not prescribed as regards Medical and Engineering admissions, such condition cannot be prescribed by the State for Law admissions. Learned G.P., at this stage, pointed out that the whole petition is based upon falsehood. She invited our attention to page 51, which is the online application form submitted by the Petitioner, in support.

3. On going through the online application form, it is noticed by us that the Petitioner has given a false information that she passed her S.S.C. Examination from Mumbai City, although she did it from Delhi.

4. Of course, learned Counsel for the Petitioner has made an attempt to justify the information so furnished by the Petitioner. She states that the software of the online application form is such that once the information of Domicile is indicated as Maharashtra, the other options open-up and in one of these options pertaining to the information of S.S.C. passing district, only districts of Maharashtra are indicated and no districts of other States are shown and, therefore, the Petitioner was compelled to tick the option of Mumbai City against the column : S.S.C. passing district. The justification is specious. Just because no other option than the option of various districts of Maharashtra is available, a candidate cannot fill-up false information and make any attempt to mislead the authorities. When suitable option is not available, the best course for the candidate is to be

convinced that the candidate does not satisfy the eligibility criteria and so to quit the process of filing of the online application form, but that has not been done by the Petitioner. In the memo of petition also, the Petitioner has not stated anything about her giving the false information of her having passed S.S.C. Examination from Mumbai City. The Petitioner has not stated anywhere that she did it under compulsion, having been left with no other alternative, although the Petitioner has stated that she had annexed the S.S.C. Certificate to the online application.

5. It is, thus, clear that the case of the Petitioner is based upon falsehood and well established law would tell us that falsehood, fraud or mis-representation do not have any place while exercising extraordinary jurisdiction under Article 227 of the Constitution of India. The petition, therefore, deserves to be dismissed. We would not like to impose any costs here as the Petitioner is a student.

6. The petition stands summarily dismissed. No costs.

(G.A. SANAP, J.)

(SUNIL B. SHUKRE, J.)