

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2220 OF 2023

Tanvi Niranjana Jog, Laxmi Nagar, Nagpur

-vs-

State of Maharashtra, Thr. Higher and Technical Education Dept. Mantralaya, Mumbai and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Dr Tushar Mandlekar, Advocate for petitioner.
Shri A. A. Madiwale, Assistant Government Pleader for respondent No.1
Shri N. S. Khubalkar, Advocate for respondent No.2.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : June 20, 2023

P. C.

1. Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

The petitioner seeks to pursue five years Law course commencing from 2023-2024 and thus has sought permission to appear for the Common Entrance Test being conducted by the State of Maharashtra.

2. The petitioner is born at Nagpur and a domicile of the State of Maharashtra. For the period 2016-2018 the petitioner's father who is serving in Indian Army was posted outside Maharashtra. As a result the petitioner has completed her S.S.C. examination from the Army Public School, Pune and thereafter Higher Secondary examination from the Army Public School, Dhola Kuan, New Delhi. The question is about her eligibility to make an application for admission from the Maharashtra State quota.

3. Our attention is invited to the judgment of the Division Bench at the Principal Seat in Writ Petition No.8539/2022 (*Ms Priya Kedar*

Gokhale and anr. vs. The State of Maharashtra, Thr. Ministry of Education and ors.) decided on 12/09/2022 wherein a similar issue was considered and after referring to the relevant Rules it was held that the respondents would consider the petitioners' admission from the Maharashtra State quota.

3. We find that the facts in case of the present petitioner are similar to the facts that were considered in *Ms Priya Kedar Gokhale and anr.* (supra). We are therefore inclined to adopt the same reasons that have been assigned in the said judgment. Hence for reasons contained in the aforesaid judgment, it is directed that the respondents shall consider the application of the petitioner for admission to the MAH-CET examination from the Maharashtra State quota. The respondent No.2 shall accordingly proceed in accordance with what has been stated in the aforesaid judgment in so far as the present petitioner is concerned. Order accordingly.

4. Rule is disposed of in aforesaid terms. No costs.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)

Asmita