

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) 6351/2022

Ku. Shraddha d/o. Tangir Righanathe,
Aged 21 years, Occ: Student,
R/o. C/o. Mr. Sanjay Gulab Puri,
Flot No. 11, Building No.2,
Chaturang Cooperative Housing Society,
Viraj Park, Behind Le Meridian Hotel,
Panjari, Nagpur-441101.

..... PETITIONER

// VERSUS //

1. Maharashtra University of Health
Science, through its Register, Mhasrul,
Vani – Dindori Road, Nashik ,
Maharashtra 422004.
2. Directorate, Medical Education &
Research, through its Director,
Government Dental College And
Hospital Building, St. Georges Hospital
Campus, Fort, Mumbai-01.
3. Admission Regulating Authority,
Maharashtra State, through its
Chairman, 9th Floor, New Excelsior
Building, A.K. Nayak Marg, Fort,
Near CSMT, Mumbai – 01.
4. V.S.PM's College of Physiotherapy,
though it's Principal, Digdoh Hills,
Hingna Road, Nagpur-440019

.... RESPONDENT(S)

Mr. Anand Parchure, Advocate for the petitioner
Mr. N.D. Thombre, Advocate for respondent 1
Mr. M. K. Pathan, AGP for respondent 2
Mr. Khubalkar, Advocate for respondent 3

**CORAM : ROHIT B. DEO AND
Y.G. KHOBRAGADE, J.J.**

DATED : 07/02/2023

ORAL JUDGMENT : (PER:- ROHIT B. DEO, J.)

Heard.

2. **Rule.** Rule made returnable forthwith. Heard finally by consent.

3. We notice that though served, there is no appearance on behalf of respondent 3 – Admission Regulating Authority.

4. Since, Mr. Khubalkar has appeared in the past for the said Authority, we request him to represent the respondent 3 in the instant matter.

5. We find that the factual matrix is identical with that considered by the co-ordinate Bench of this Court in Writ Petition 5116/2022 (*Mahatma Gandhi College of Nursing and anr. Vs. Maharashtra University of Health Science and ors.*) which came to be allowed vide judgment dated 12.12.2022. The error which the petitioner committed was to mention the reservation status Caste Code as NT-2 while filling up NEET(UG) 2020 Form. As a fact, since the petitioner belongs to the Nomadic Tribe (B), the Correct Code was NT-1. The

petitioner asserts that save and except the said inadvertent error, the form filled in by her was absolutely correct.

6. It is common ground that similar facts are considered by the Co-ordinate Bench while deciding Writ Petition 5116/2022.

7. For the reasons recorded by the Co-ordinate Bench in judgment dated 12.12.2022 in Writ Petition 5116/2022, we quash and set aside the impugned order dated 01.06.2022 and remand the matter back to respondent 3 – Authority for fresh consideration in accordance with law.

8. The petitioner may appear before respondent 3 – Authority on 20.02.2023 at 11.00 a.m. and produce on record the relevant material, if so advised.

9. Respondent 3 – Authority shall take a fresh decision after hearing the petitioner within two weeks from the date of appearance of the petitioner.

10. The petition is partly allowed in the aforestated terms.

(Y.G. KHOBRAGADE, J.)

(ROHIT B. DEO J.)

SANDIP
MAHADEV
GATE

Personal Assistant to the
Hon'ble Judge
Digitally signed by
SANDIP MAHADEV GATE
Date: 2023.02.09 18:59:21
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