

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

WRIT PETITION NO. 6648 of 2022

Sau.Ankita w/o Devendra Indurkar (Before marriage Ku.Ankita d/o Ashok Yelkunchwar)
vs.

The Directorate of Higher Education, Maharashtra State and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.I.Sheikh, Advocate for petitioner.
Shri A.S.Fulzele, Additional Government Pleader for respondent no.1.
Shri N.A.Gaikwad, Advocate for respondent no.2.
Shri P.A.Gode, Advocate for respondent nos. 3 and 4.

CORAM :- A.S.CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE :- 12th APRIL, 2023

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

The petitioner having obtained her B.Ed degree sought admission in the M.Ed. course at an institution affiliated with the respondent no.3-University. The admission was sought under the name "Ankita Devendra Indurkar" being her name after her marriage. The respondent no.2- Admission Regulating Authority was not satisfied with the documents submitted by the petitioner to the University and hence has refused to approve her admission.

On hearing the learned counsel for the parties, we find that the name of the petitioner after her marriage has been duly got published in the Official Gazette on 19.01.2012. Thereafter she has passed her B.Ed. course and has been allotted degree by the University. While seeking admission to M. Ed. Course, the University forwarded all these documents to the Admission Regulating Authority but it appears that the said Authority was not satisfied with the same.

We find from the impugned order that except for stating that lacanae were not cured within a period of seven days, no specific reason has been assigned in the impugned order. The documents on record indicate that the lacanae were cured on 25.09.2021 and thereafter on 03.02.2022. The matter was considered thereafter by the said Authority.

We thus find that all necessary documents in the form of Marriage Certificate as well as Gazette Notification having been supplied to the Admission Regulating Authority, there was no impediment in approving the admission of the petitioner. Moreover, the petitioner possesses B.Ed. Degree in the name of Ankita Devendra Indurkar.

Hence for the aforesaid reasons, the impugned communication dated 24.06.2022 issued by the respondent no.2-Admission Regulating Authority is set aside. It is directed that the respondent no.2 shall grant approval to the admission of the petitioner to the M.Ed. course. Consequent upon which the respondent no.3-University shall issue necessary degree certificate to the petitioner. The entire exercise be completed within a period of six weeks from today.

The writ petition is allowed in aforesaid terms. Rule accordingly. No costs.

(M. W. CHANDWANI, J.)

(A.S.CHANDURKAR, J.)

Andurkar..