



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

**MISC. CIVIL APPLICATION (REVIEW) NO. 980 OF 2023 IN
WRIT PETITION NO.5141 OF 2023(D)**

Vansh s/o Prakash Dolas

vs.

The Ministry of Education & the Ministry of Health and Family Welfare, Government of India, through its Secretary 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 V. A. Kothale, Advocate for applicant/petitioner.

Shri N. S. Deshpande, Deputy Solicitor General of India for respondent nos. 1 and 3.

Ms N. P. Mehta, Additional Government Pleader for respondent no.6.

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

DATE :- 26th OCTOBER, 2023

We have heard the learned counsel for the applicant and we have perused the grounds raised in the review application.

2. The learned counsel for the applicant by relying upon the decision of the Delhi High Court in **Letters Patent Appeal No.628/2023 and CM Application No. 46914/2023** (*Ujjwal Shori (through his natural guardian) vs. University of Delhi and others*) decided on 12.09.2023 submits that the order under review deserves re-consideration. He submits that since a similar issue was decided in **Writ Petition No.8539/2022** (*Ms. Priya Kedar Gokhale and anr. vs. The State of Maharashtra and others*) decided on 12.09.2022 at Principal Seat, a case for entertaining the review application is made out. In addition, he submits that on the basis of social reservation the applicant's candidature ought to be considered.

3. On hearing the learned counsel for the applicant and after perusal of the grounds raised in review application, we do not find any error apparent on the face of record to invoke review jurisdiction. In paragraphs 3 to 5 of the order under review, the reasons have been

indicated for not granting any relief to the applicant. Consideration of the claim for admission on the basis of social reservation would also not be permissible in the light of the applicant/petitioner not satisfying the requirements of Clause 4.8 of Annexure 'C'. The judgment of the Delhi High Court in *Ujjwal Shori* (supra) has been rendered after the writ petition was decided on 05.09.2023.

The applicant seeks to rely upon the order passed in **Writ Petition No. 2220/2023** (*Tanvi Niranjana Jog vs. State of Maharashtra and anr.*) dated 20.06.2023 in support of his prayer. He also invites attention to the judgment in **Writ Petition No.867/2013** (*M/s. Shewalkar Developers Ltd. vs. Rupee Co-operative Bank Ltd and others*) decided on 18.06.2015.

4. As stated above, in the light of the reasons assigned in paragraphs 3 to 5, there is no case made out to invoke review jurisdiction. The proceedings cannot be re-opened for hearing afresh under the garb of prayer for review. The Miscellaneous Civil Application is therefore rejected with no order as to costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.