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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

905 WRIT PETITION NO. 11285 OF 2024

SHAIKH MUJAHID SHAIKH YAKUB

VERSUS

1. STATE OF MAHARASHTRA THROUGH SECRETARY
2. STATE COMMON ENTRANCE TEST CELL, MUMBAI
3. SECRETARY, MARATHWADA LEGAL AND GENERAL
EDUCATION SOCIETY, AURANGABAD
4. PRINCIPAL, MANIKCHAND PAHADE LAW COLLEGE,
AURANGABAD

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Mr Rahul R. Deshmukh, Advocate for petitioner

Mr R. S. Wani, A.G.P. for respondent No.1

Mr C. A. Jadhav, Advocate for respondent No.2

Mr Abhishek C. Deshpande, Advocate for respondent Nos.3 and 4

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 28th November, 2024

PER COURT:

1. The petitioner is claiming admission to respondent No.4/college from E.W.S. category seat for the academic year 2024-25 for the LL.B. first year.

2. We have heard both the sides finally.

3. Though the learned Advocate for the petitioner tried to demonstrate before us that infact petitioner's name was finding

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place in the merit list of CAP round-IV, he was denied the admission on the ground that he did not possess the original 10th and 12th Standard mark-sheets.

4. However, we need not to go into petitioner's right to claim a seat in the CAP round-IV which has been denied for the aforementioned reason, for, in the subsequent round he applied to E.W.S. quota seat and even he seeks admission against that reservation.

5. For this reason alone, even the Notice No.2 published for the CAP round-II in the same admission process expressly notifying the colleges not to deny or refuse the admission for non availability of original mark-sheets or certificates of SSC or HSC, would not be relevant and cannot come to the petitioner's rescue. The fact that as on the date he was supposed to confirm admission against a seat reserved for E.W.S. category, he was not possessing the certificate and as is being submitted by his learned advocate, he obtained it subsequently and now possesses it.

6. When, admittedly, he was not having E.W.S. category certificate on the date he was supposed to confirm his admission

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while undergoing documents verification, and when the Notification issued by respondent No.2/CET Cell expressly prohibits any admission after 01/10/2024, the writ petition is dismissed.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

sjk