



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

WRIT PETITION NO. 12017 OF 2024

1. Ameya Sanjay Deval
2. Prasanna Pravin Pimparkar .. Petitioners

Versus

The Union of India and others .. Respondents

Shri Suvidh S. Kulkarni, Advocate for the Petitioners.

Ms. Sudha Chintamany, Standing Counsel for Respondent Nos. 1 and 2.

Shri Chandrakant A. Jadhav, Advocate for Respondent Nos. 3 and 6.

Shri V. D. Hon, Senior Advocate i/by Shri A. V. Hon, Advocate a/w Shri A. D. Sonkawade, Advocate for the Respondent No. 4.

Shri R. S. Wani, A.G.P. for the Respondent No. 5.

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 24 OCTOBER 2024.

FINAL ORDER :

. Leave is granted to correct the nomenclature of respondent No. 2. Amendment to be carried out immediately.

2. Petitioners who have been granted provisional admission through the NEET-UG-2024 by respondent No. 3/State Common Entrance Test Cell Maharashtra in the institutional/college quota for the M.B.B.S. course are not being allowed to take admission by respondent No. 4/college.

3. Learned advocate for the petitioners adverts our attention to the notice dated 10 November 2023 whereby for M.B.B.S. course fees to be charged by the institutions under institutional/management quota has been capped at three times the regular fees. He submits that the petitioners are ready to deposit three times of the regular fees and still respondent No. 4/college is not allowing them to take admission.

4. Learned advocate for the respondent No. 4 – college appears *suo motu* and submits that the issue as to power and jurisdiction of the authorities to put up such a cap is disputed. The issue has been taken up by the management with the requisite authority. Subject to such decision to be taken ultimately, the college is ready to admit the petitioners if they are ready to pay three times the regular fees, provided they undertake to deposit the difference if any required to be paid as per the determination at a later point of time. He also tenders across the bar a copy of communication received from the Fees Regulatory Authority Maharashtra State dated 22 October 2024.

5. Since it is a matter of admission process, which is undertaken rounds after rounds and the time being important, we dispose of the writ petition directing respondent No. 4 – college to admit the petitioners on payment of three times of regular fees, subject to their furnishing an undertaking before this Court that they would pay the difference, if any, required to be paid pursuant to final determination of fee structure by the

competent authority, without any demur. They shall furnish such undertaking before the Registrar (Judicial) of this Court and produce a copy before the college.

7. Considering the fact that 5.30 p.m. today is the dead line and since the order is being dictated in the open court, respondent No. 4 – college shall immediately process the admission even without waiting for the undertaking to be furnished as ordered hereinabove.

[SHAILESH P. BRAHME J.]

[MANGESH S. PATIL, J.]

bsb/Oct. 24