

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 17047 OF 2024**

Mashalkar Prasad
S/o Sh. Chandrashekhar M .. Petitioner
Vs.
Terna Medical College & Hospital
Through its Registrar and Others .. Respondents

Mr. Devadatt Kamat, Senior Advocate (Through VC) with Mr. Sunny Jain
i/by Mr. Vinduprakash Pandey, Advocates for the petitioners.

Mr. V. P. Sawant, Senior Advocate with Mr. Nitin Dhumal, Advocates for the
respondent no.1.

Ms. Dhruti Kapadia, Advocate for the respondent no.2-CET CELL.

Mr. Rui Rodrigues with Mr. Jainendra Sheth, Advocates for the respondent
no.3-FRA

Ms. Tanu N. Bhatia, Assistant Government Pleader for the respondent-
State.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 25th NOVEMBER 2024.

PC. :

1] The petitioner having appeared in NEET (UG) Examination 2024-25
was placed at Serial No.7490 of the Provisional Selection List published by
the 2nd respondent – State Common Entrance Test Cell. He was
accordingly issued a Provisional Selection Letter with regard to the CAP
stray vacancy. He was placed in the category of Economically Weaker
Section. He was allotted a seat in the Institutional Quota at the 1st
respondent – Terna Medical College and Hospital. It is his case that in
accordance with the notice dated 10/11/2023 published by the 3rd

respondent – Fees Regulating Authority, he was required to pay three times the regular fees for seeking admission at the MBBS Course. As per the fee structure of the College published at its website, the petitioner was required to pay three times the amount of fees of Rs 8,99,000/- payable by a student in the EWS category. He accordingly arranged for Demand Draft of Rs 26,94,000/- along with two other Demand Drafts for an amount of Rs 4,00,000/- and Rs 50,000/- respectively. All the Demand Drafts are dated 31/10/2024. When he visited the College, he was not granted admission. Hence on 01/11/2024 he made a complaint in that regard to the Fees Regulating Authority. In response the Fees Regulating Authority directed the Dean of the College to accept the Course fees in accordance with the notice dated 10/10/2024 and not demand five times the regular fees. The College through its Dean informed the Fees Regulating Authority on 04/11/2024 that the petitioner was insisting for waiver of fees and that complaint as made was by a counselor of the petitioner and not the petitioner. The cognizance of the petitioner's complaint was taken by the Grievance Committee set up by the Fees Regulating Authority wherein the stand of the College was indicated stating therein that the petitioner was not willing to pay the fees for the second year. The Grievance Committee recommended that if the petitioner had complied with all prescribed requirements, the College should furnish a detailed explanation for denial of admission to him. Since the petitioner has not

been able to secure admission on the strength of the Provisional Selection Letter, he has filed the present writ petition.

2] We have heard the learned counsel for the parties for sometime. To enable the College to put its stand on affidavit, it is granted time till 27/11/2024 to do so.

3] Put up for further consideration on 27/11/2024.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]