

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11866 OF 2025

Priyanka Tukaram Kole & Anr.

... Petitioners

versus

The State of Maharashtra & Ors.

... Respondents

...

Mr.Nikhil M. Pujari i/b. Mr.Pratik Rahade for the Petitioners.

Mr.P.P.Kakade, Addl.GP with Mr.V.G.Badgujar, AGP for the State.

Mr.Sandeep Dere with Ms.Arati Patil Dere and Sonali Pawar for
Respondent No.2- Board.

...

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 20th September, 2025

P.C.:-

1. This matter was already on today's board. On mentioning, it was taken on the production board.

2. The Petitioners are two students whose admissions to the GNM Course under the vocational stream at Respondent No.4 college, was cancelled on 4th March, 2025 after the admission of these students was scrutinized and it was found that they were illegally inducted in the course by the college. In fact, the college also wrote to Respondent No. 2, the Board, on 17th April 2025, informing that the admissions of these students

had been cancelled. The students themselves issued consent letters for the cancellation of their admissions, acknowledging that the same were irregular and could not have been regularized.

3. These Petitioners are before us today seeking parity with the students who were the Petitioners before the Coordinate Bench of this Court in Writ Petition Nos. 5697 of 2025, 5706 of 2025, 7574 of 2025, 8987 of 2025 and Writ Petition (St.) No. 18156 of 2025, wherein those Petitioners were conditionally permitted to appear for the exams.

4. The learned Advocate for the college, as well as the learned Advocate for the Board, state that the admission of both these students was cancelled. When called upon as to whether these two students were attending the classes after their admissions were cancelled, the learned Advocate for the college, hesitantly submits that they attended the classes. Such statement will have to be scrutinized in the light of the fact that the college knew that the admission of these two students was cancelled. The question is how the college performed such a high-handed act of letting the students sit in the classrooms and participate in the day-to-day classes.

5. We are told that the Petitioners in the other Writ Petitions, who received the order dated 29th July 2025, conditionally permitting them to

appear for the exam, are also identically placed. Their admissions have also been cancelled. Though Mr.Dere, the learned Advocate for the Board, informs the Court that their admissions were cancelled, the learned Advocate for the college made a bold statement, on instructions, that such students continued to attend classes because the college granted them attendance. It is an altogether different situation, wherein students who were on the verge of completing their entire educational curriculum need to be protected against sudden cancellation of their admissions.

6. This is a case wherein all the students are in their first year and were admitted on 1st October 2024. It is a three-year course, and this is just the beginning. Question is whether their illegal admissions can be protected, only because the Management has surreptitiously allowed them to attend the classes.

7. We are listing these Petitions along with Writ Petition Nos. 5697 of 2025, 5706 of 2025, 7574 of 2025, 8987 of 2025, 11411 of 2025, 11412 of 2025, 11409 of 2025, 29066 of 2025, 11866 of 2025 and Writ Petition (St.) No. 18156 of 2025 at serial No.1 in the cause list, on 22nd September, 2025

8. Both the Petitioners in this Petition, as well as in the other Petitions, which are mentioned above, shall tender their individual affidavit undertakings to this Court on 22nd September 2025, stating that if this Court concludes that their admissions are illegal, they would quit the course and would not claim any equities. Similarly, the President/Secretary of Respondent No. 4 college shall file an affidavit in this Court stating that if this Court concludes that the college played a fraud, and imposes costs of Rs. 1,00,000/-, they will deposit the said amount in this Court.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)