

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

WRIT PETITION NO. 12475 OF 2025

Amit Sahadev Harale

... Petitioner

versus

The State of Maharashtra & Ors.

... Respondents

...

Dr.Uday Warunjikar with Mr.Utkarsh Pondkale i/b. Mr.Rajat V. Dighe for
the Petitioner.

Mr.Sachin H. Kankal, AGP for the Respondent -State.

...

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

DATE : 1st October, 2025

P.C.:-

1. The learned Advocate for the Petitioner has tendered a Draft
Amendment proposing amendments to the pleadings as well as to the
prayers.

2. The learned AGP has opposed the amendment. In the
alternative, he submits that if this Court allows the amendment, liberty be
granted to the State to file a composite affidavit in reply to the amended
Petition.

3. We have perused the proposed amendment.

4. The Petitioner is a person with disabilities. There is no provision in the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admission to the Full Time Professional Undergraduate Law Courses) Rules, 2017 permitting a student who has failed in the first year of the LL.B course in a particular college, to migrate to another college affiliated to a different University in another part of the State. Similarly, Rule 16 (2) (b) of the CAP Rules dated 5th May 2017, which does not consider the rights of Persons with Disabilities (PwD), is sought to be assailed on the ground that it is ultra vires and unconstitutional.

5. In view of the above, leave is granted to amend in terms of the proposed draft amendment. The amendment be carried out, on or before 10th October, 2025.

6. A freshly typed amended copy of the memo of the Petition shall be placed on record within the same timeline, and a copy shall be supplied to the learned Advocates for the Respondents.

7. On receipt of the amended memo of the Petition, the State would enter its affidavit in reply, on or before 10th November, 2025.

8. List this Petition on 19th November, 2025.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

