

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

WRIT PETITION NO. 25/2026

Ramchandra Bhiku Aldar Gaurdian of Vaibhav Aldar ... Petitioners
and others

Versus

The State of Maharashtra and ors.

... Respondents

.....
Mr. Prithviraj Raorane a/w Ashirwad Kelekar i/b Mr. Shrikrishna
Ganbavale, Advocate for the Petitioner
Mr. C.G. Patil, a/w Mr. P.P. Magadum a/w Mr. Atul Chougule, Advocate for
respondent no.6
Mr. V.A. Mali, AGP for the Respondent - State.
.....

**CORAM : MADHAV J. JAMDAR &
PRAVIN S. PATIL, JJ.
DATE : 28.04.2026.**

ORAL JUDGMENT (PER : PRAVIN S. PATIL, J.)

1. The present petition is filed by the students seeking a direction to the respondent authorities to immediately approve their provisional admission to respondent No. 6 College. Respondent No.6 came with a submission before this Court that it has already have sanctioned of 120 students for 11th Standard in academic Session 2024-2025 and process of obtaining additional sanction for academic Session 2025-2026 was undergoing with the Education Department, therefore they have admitted the students.

2. During the pendency of the present petition, learned AGP has

placed on record the Government Resolution dated 11.12.2025 wherein it is clarified that respondent No.6 College has been conferred additional sanction of 11th Standard thereby sanctioning another 120 students.

3. In view of this fact that respondent No.6 came with a submission that they can accommodate 120 more students out of 313, who are already admitted provisionally in their College. In this background, now the question is remained about 73 students for whom, there is no sanction provided to respondent No.6 institute by the State Government in the matter.

4. In this matter, after conducting hearing on various dates, the last affidavit came to be filed by the respondent No.6 on 09.04.2026 and in the affidavit, it is stated as under:

“10. I say that, notwithstanding the above circumstances, Respondent No. 6 fully understands that the sanctioned capacity cannot be exceeded as a matter of course. Therefore, with a sincere desire to resolve the issue in a fair and humane manner, Respondent No. 6 places the following suggestions before this Hon'ble Court for consideration in relation to the excess 73 students:

a) The said 73 students may be accommodated in nearby colleges having available capacity, so that no student loses the academic year.

b) While effecting such accommodation, female students may be given priority, considering convenience, safety, continuity, and practical accessibility.

c) Thereafter, the remaining students may be accommodated according to the chronology of their provisional admission/application, as may be directed by this Hon'ble

Court.

d) Preference may also be given to relocation in institutions situated at the nearest possible distance from Respondent No. 6 and/or from the residence of the concerned students, to minimize hardship. The attached material shows multiple nearby junior colleges that could support such adjustment.

e) Siblings studying in the same institution, students belonging to economically weaker backgrounds, and students participating in NCC or similar co-curricular streams may also be considered sympathetically while preparing the adjustment list, subject to seat availability and orders of this Hon'ble Court.

Hereto marked and annexed as EXHIBIT – R-1 is a copy of the table indicating the proposed allocation of the students.

11. I say that Respondent No. 6 and its management undertake to extend all necessary assistance and aid for the accommodation of such students in nearby colleges. Without prejudice, such assistance may include:

a) Coordination with nearby colleges and educational authorities.

b) Issuance of transfer-related documents, bonafide certificates, and academic records without delay.

c) Assistance in identifying seat availability in the nearest colleges.

d) Logistical and administrative support so that transition is smooth and the students do not suffer educational loss.

12. I say that Respondent No. 6 is ready and willing to prepare, under the supervision of the competent authority, a transparent list of the 73 students proposed to be adjusted elsewhere, strictly in accordance with the criteria approved by this Hon'ble Court. Respondent No. 6 is also willing to personally contact nearby institutions and facilitate the admission process so as to ensure continuity of attendance and academic participation.

13. I say that if permitted by this Hon'ble Court, Respondent No. 6 may also be allowed to submit to the concerned authority a college-wise vacancy mapping of nearby institutions and a student preference/priority list within such time as this Hon'ble Court deems fit. This would enable an orderly, equitable, and time-bound adjustment process.

14. I say that Respondent No. 6 further undertakes that in future it shall not grant admissions beyond the sanctioned capacity except as may be specifically permitted by the competent authority in accordance with law, maintain complete transparency with students and authorities regarding seat position, await appropriate permission/orders before acting upon any request for increased intake or additional batches and evolve internal compliance mechanisms to prevent recurrence of such a situation.

15. Respondent No. 6 further states that, without prejudice to its rights and contentions, the College is willing to bear reasonable administrative expenses required for preparation of transfer documents, correspondence, and coordination with the receiving colleges, so as to minimize hardship to the affected students. The College respectfully submits that the attendance already undergone by such students may, as far as permissible under the applicable rules and subject to the directions of the competent authority, be protected and treated leniently so that the students do not suffer for circumstances beyond their control. The College also undertakes to extend full cooperation to the Education Department, the Board, the Deputy Director, and all concerned authorities for immediate seat mapping and smooth adjustment of the concerned students in nearby colleges. The attached student list and the list of nearby colleges may be used as a practical basis for identifying available seats and ensuring an orderly transfer process.”

5. In view of the aforesaid averments in the affidavit, it is necessary

for nearby colleges to accommodate 73 students in their respective colleges. However, in the present petition, all such colleges are not parties to the proceedings.

6. In these circumstances, the Deputy Director of Education, Pune can look into the matter, considering the fact, present petitioners are students, who are not at fault and their academic year is likely to be adversely affected, by taking proper recourse to admit the students in the nearby colleges.

7. In view of the above, the Deputy Director of Education, Pune is directed to adjust 73 students in the nearby college as a special case. This necessary exercise be completed within a period of two weeks from the date of production of order before the Deputy Director of Education, Pune and submit the compliance report to this Court on or before 07.05.2026.

8. The Writ Petition stands disposed of in terms of above direction.

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signed by
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[PRAVIN S. PATIL, J.]

[MADHAV J. JAMDAR, J.]

R.S. Sahare