

**WRIT APPEAL NO: 594 of 2026**

Rasamsetty Aravind

...Appellant

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for Appellant : Mr Manoj Kumar Bethapudi

Advocate(s) for Respondent(s) : GP for Higher Education for R1,
Mr. Chandra Sekhar Singam for R.2 &
R.3**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE NINALA JAYASURYA****DATE : 6th May, 2026****LISA GILL, CJ (Oral).**

This appeal has been filed for setting aside order dated 08.12.2025 passed by learned Single Judge whereby writ petition filed by present appellant - writ petitioner was dismissed.

2. Appellant - writ petitioner was aggrieved of rejection of allotment of seat to him for undertaking course of BSc (Data Science Programme).

3. Learned Single Judge took note of the fact that writ petitioner did not have requisite qualifying marks of 55%, therefore, was not eligible for being allotted a seat, thus writ petition was dismissed. Aggrieved therefrom, this appeal has been filed.

4. Learned counsel for appellant – petitioner vehemently argues that petitioner, having completed his Intermediate in Loyola College, Vijayawada in MEC group, secured 502 marks in examination conducted by Board of Intermediate Education in the month of April, 2024. Petitioner applied for a seat in BSc (Data Science Programme); he was called for interview on 06.05.2024, where he produced all copies of his certificates. Petitioner further deposited entire fees of Rs.58,000/- on 18.05.2024 itself, which was duly acknowledged; his candidature was accepted and a provisional admission letter was issued. Petitioner attended classes from 06.08.2024 to 26.08.2024 in online mode. Petitioner further produced all original certificates before third respondent on 22.09.2024; he was asked to open a bank account in Indian Bank, Campus Branch; however, after completion of entire process, third respondent orally informed petitioner that seat in the curriculum in question could not be allotted to him and he was asked to join LLB five years course; by that time, admission for degree in question in other colleges was closed.

5. Learned counsel for appellant further submits that upon filing writ petition, interim order dated 15.11.2024 was passed whereby petitioner was permitted to attend classes subject to result of writ petition.

6. It is thus argued that in this scenario, petitioner should be permitted to continue to attend classes on an equitable basis as he has attended classes under interim orders of this Court.

7. Learned counsel for appellant further submits that appellant has been subjected to discrimination inasmuch as certain candidates having less marks than 55% have been offered and inducted in the curriculum in question. It is thus prayed that this appeal be allowed as prayed for.

8. Learned counsel for respondents has opposed the writ appeal while submitting that basic eligibility criteria was not fulfilled by petitioner and it is upon verification that petitioner was informed. Petitioner was also offered admission in LLB five year course, but he chose not to take the same.

9. Learned counsel for respondents further submits that besides petitioner, there were 35 other students who sought admission in non-engineering courses in the University without fulfilling eligibility conditions. All other students had taken back their applications after being informed that they are not eligible.

10. It is further denied that there is any discrimination meted out to petitioner. Students having less than 55%, who have been offered seats, are under Government admission/quota in terms of G.O.Ms.No.51 dated 23.09.2021. A copy of said GO had been produced in Court today for our perusal with a copy thereof to learned counsel for appellant.

11. We have heard learned counsel for parties and have perused the file with their assistance.

12. It is a matter of record and not denied by learned counsel for appellant that acquiring minimum 55% marks in qualifying examination is an eligibility condition which has duly been notified in press note and website of the University. Learned counsel for appellant is unable to deny that appellant does not have requisite qualifying marks of 55% in terms of notification inviting applications. Thus, there is no infirmity in the action of respondents in denying admission to petitioner in the course of BSc (Data

Science Programme). It is further to be noted that allegation of discrimination being meted out to petitioner is not substantiated from the record as it is clear that students having less than 55%, who have been offered seats, are under Government admission in terms of G.O.Ms.No.51 dated 23.09.2021.

13. Argument raised by learned counsel for appellant that appellant should be permitted to continue in the said course as he has pursued classes in terms of interim order dated 15.11.2024 is also devoid of any merit as it is specifically mentioned in order dated 15.11.2024 that appellant shall be permitted to attend classes subject to result of writ petition. It is a settled position that no vested right shall or can accrue to a litigant to the relief sought on the basis of such interim orders as have been passed in the present case.

14. Gainful reference in this regard can be made to judgments of Hon'ble the Supreme Court in **Amarjeet Singh and others V. Devi Ratan and others** [(2010) 1 SCC 417]; **Dental Council of India Vs. Sailendra Sharma and Others** [2022 SCC OnLine SC 1475]; **State of U.P and Others Vs. Prem Chopra** [(2022)2SCR990], **Jagpal Singh Vs. The State of U.P** [2023 (11) SCALE678].

15. Learned counsel for appellant is unable to point out any illegality or infirmity in impugned order dated 08.12.2025, passed by learned Single Bench, which calls for interference by us in exercise of appellate jurisdiction. No other argument was addressed.

16. Keeping in view the facts and circumstances as above, this appeal is dismissed being devoid of any merit. No costs. Pending application(s) if any stand(s) disposed of accordingly.

LISA GILL, CJ

NINALA JAYASURYA, J

Vji