

ITEM NO.64

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A.No.4 in Petition(s) for Special Leave to Appeal (Civil) No(s).9743/2006

(From the judgement and order dated 19/05/2006 in CWP No. 3511/2006 of The HIGH COURT OF

BOMBAY)

P.A.INAMDAR & OTHERS

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS

Respondent(s)

I.A.No.4 in SLP(C)No.9744/2006

I.A.No.4 in SLP(C)No.9552/2006

WITH

I.A.NO.3 in SLP(C)No.9652/2006

(For directions and office report)

Date: 18/09/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr.U.U.Lalit, Sr.Adv.

Mr.Vijay Kumar, Adv.

Mr. Vishwajit Singh,Adv.

Ms.Aparajita Singh, Adv.

Mr.T.Mahipal, Adv.

For Respondent(s)

Mr.Shekhar Naphade, Sr.adv.

Mr.Sanjay V.Kharde, Adv.

Mr.Gautam Godara, Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.No.4 in SLP(C)No.9743/2006:

Counsel for the petitioner institute-Allana Institute
of Masters in Computer

2

Management submits that for the course of Masters in Computer Applications (MCA)
three seats are

still lying vacant and the student-Mr.Manish Kumar can be given admission. Mr.Manish Kumar may

appear before the college authorities on or before 25th September, 2006 and if all other formalities are

complete, the student may be given admission to the MCA course. The State will give information to the

student to take appropriate steps.

I.A.4 is allowed in accordingly.

I.A.No.4 in SLP(C)No.9744/2006:

As regards the Allana College of Pharmacy, counsel for the State submits that at the State

is not proposing any students for the time being under the State quota. The college would be at liberty

to fill up the remaining seats before the scheduled date i.e. 30th September, 2006.

I.A.no.4 is allowed accordingly.

I.A.No.4 in SLP(C)No.9552/2006:

Heard petitioner's counsel and counsel for the State.

Counsel for the State points out that in the MBA course the State was entitled to

recommend 30 seats and in fact the State recommended 30 seats on 21.7.2006 but the admission was

given only to 5 candidates and the rest were denied admission. Whereas the counsel for the College

submits that out of the 30 seats, 17 reported for admission but out of them only 5 joined the course. As

the institute had to fill up the rest of the seats within time, they have filled up those seats. Counsel for

the State submit that the State had received complaints from 7 students stating that they were denied

admission because of the attitude of the petitioner college. The students send their complaints alleging

that they had reported before the college and they were denied admission till 31st July, 2006. Counsel

for the college states that at present there is only one seat remaining vacant and the rest have already

been filled up.

Under the above circumstances, we direct that the 7 students who were denied admission

3

be admitted in this year itself if they report on or before 25th September, 2006 before the college. The

State may give direction to the students to report to the college before the said date. In case if they

report, the college shall give admission to these students. By giving

admission to them if the college

exceeds the total strength of the college, which could admit only 120 students in the MBA course, in the

next year, the management would be entitled to admit only such number of candidates in the

management quota less the number of excess students admitted this year.

I.A.NO.4 is allowed accordingly.

I.A.No.3 in SLP(C)No.9652

Already de-linked.

(G.V.Ramana)

(Veera Verm

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Court Master

Court Ma

ster