

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

Petition(s) for Special Leave to Appeal (C) No(s).13621/2020

(Arising out of impugned final judgment and order dated 11-11-2020 in WP No.7722/2020 passed by the High Court Of Judicature At Bombay At Aurangabad)

MEGHAVI

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.117535/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 01-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s) Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Geo Joseph, Adv.UPON hearing the counsel the Court made the following
O R D E R

The petitioner passed 10th class examination in 2018 from an institution in the State of Madhya Pradesh. Thereafter, she completed her 12th Class in 2020 and appeared in NEET Under Graduate Examination held on 13.09.2020. She acquired 97.8 percentile in the NEET examination. She applied for admission to medical colleges through the State quota. The Information Brochure issued by the Government of Maharashtra on 04.11.2020 makes the petitioner ineligible for consideration in the State quota of medical seats as she did not pass her 10th class from an institution within the

State of Maharashtra. Clause 4.5 of the Information Brochure states that only the candidates who have passed 10th class or equivalent examination from an institution situated in the State of Maharashtra are eligible to be considered for admission to Under Graduate Medical courses in the State quota. The exemption granted by the State of Maharashtra only applies to the students who have passed SSC or equivalent examination from outside the State of Maharashtra prior to 2017, provided they have passed HSC or qualifying examination from an institution in the State of Maharashtra.

The petitioner contends that her father was a contractor and by virtue of his business in the State of Madhya Pradesh, she had to shift from her native town Bhusawal in Maharashtra to prosecute 10th class. Thereafter she came back to the State of Maharashtra and completed her 11th and 12th class (SSC examination).

In the peculiar facts and circumstances of the case, we direct the State of Maharashtra to consider the petitioner for admission to the Under Graduate Medical Course in the State quota. This order shall not be treated as a precedent.

The special leave petition is, accordingly, disposed of. Pending applications, if any, stand disposed of accordingly.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master