

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. \_\_\_\_\_ OF 2024  
(Arising out of SLP(C) No.7901/2023)

ANKUSH SHIKSHAN SANSTHA & ANR. APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ORS. RESPONDENT(S)

**ORDER**

Leave granted.

Heard learned counsel for the appellants and the State.

The dispute in this matter pertains to admission of about sixty students in B.Pharm Course to the appellant's institution, who had not participated in the process of CAP counselling. The affiliation has now been granted to the institution.

Mr. Nataraj, learned Additional Solicitor General, appearing on behalf of the "State Common Entrance Test Cell(the 'CET Cell') (respondent No.3), has taken a pragmatic stand and his submission is that considering the fate of the students, they are willing to permit their regularisation as genuine students as a one off

case under special circumstances, subject to their fulfilling the eligibility criteria.

In view of this stand taken by the respondents, we direct that eligibility of the sixty students who were admitted in the 2022-23 session in the subject institution shall be verified by the Director of Department of Higher and Technical Education (respondent No.2) and if they meet the eligibility criteria, they should be permitted to pursue the course as regular students. The particulars of the sixty students shall be sent to the said respondent No.2 within a period of 7 days by the appellants and the verification process may be completed within four weeks thereafter. The institution shall pay costs of Rs. 6,00,000/- (Rupees six lakhs) i.e., Rs. 10,000/- (Rupees ten thousand) per student to the CET Cell for the post-admission exercise they are having to undertake now.

As we have already observed, the students who are found eligible, shall be deemed to have been admitted through the proper channel.

The appeal stands disposed of in the above terms.

Pending application(s), if any, shall stand  
disposed of.

.....J.  
[ANIRUDDHA BOSE]

.....J.  
[SANJAY KUMAR]

NEW DELHI;  
MARCH 12, 2024.

ITEM NO.52

COURT NO.5

SECTION IX

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition for Special Leave to Appeal (C) No. 7901/2023

(Arising out of impugned final judgment and order dated 03-04-2023 in WP No. 725/2023 passed by the High Court of Judicature at Bombay at Nagpur)

**ANKUSH SHIKSHAN SANSTHA & ANR.**

**Petitioner(s)**

**VERSUS**

**THE STATE OF MAHARASHTRA & ORS.**

**Respondent(s)**

(IA No. 256079/2023 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 104913/2023 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 57523/2024 - EXEMPTION FROM FILING O.T.  
 IA No. 80062/2023 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES)

Date : 12-03-2024 This matter was called on for hearing today.

**CORAM :**

**HON'BLE MR. JUSTICE ANIRUDDHA BOSE**  
**HON'BLE MR. JUSTICE SANJAY KUMAR**

**For Petitioner(s)** M/S. Lambat & Legiteam, AOR  
 Mr. Kishor Lambat, Adv.  
 Mr. Nitin Lalwani, Adv.  
 Mrs. Dhanshree Khushal Chilbule, Adv.  
 Ms. Kashmira Lambat, Adv.  
 Ms. Suja Joshi, Adv.  
 Mr. Prem S Mankani, Adv.

**For Respondent(s)** Mr. Anand Dilip Landge, Adv.  
 Mr. Siddharth Dharmadhikari, Adv.  
 Mr. Aaditya Aniruddha Pande, AOR  
 Mr. Bharat Bagla, Adv.  
 Mr. Sourav Singh, Adv.  
 Mr. Aditya Krishna, Adv.  
 Ms. Preet S. Phanse, Adv.  
 Mr. Adarsh Dubey, Adv.

Mr. K.M. Nataraj, A.S.G.  
 Mr. Sarad Kumar Singhania, AOR  
 Mr. Prashant Vasudeo Malik, Adv.

**Mr. Nishant Ramakantrao Katneshwarkar, AOR**

Mr. Satyajit A Desai, Adv.  
Mr. Amit K Pathak, Adv.  
Mr. Siddharth Gautam, Adv.  
Mr. Abhinav K. Mutyalwar, Adv.  
Mr. Gajanan N Tirthkar, Adv.  
Mr. Vijay Raj Singh Chouhan, Adv.  
Ms. Anagha S. Desai, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The present appeal stands disposed of in terms  
of the signed order which is placed on the file.

Pending application(s), if any, shall stand  
disposed of.

(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)  
ASSISTANT REGISTRAR