

Meena

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.1644 OF 2023 (FILING)**

TARINI ROHIT BRAS DE SA, REP. BY ...Petitioners
LEGAL GUARDIAN ROHIT BRAS DE
SA AND ANR

VS

STATE OF GOA, THR. THE CHIEF
SECRETARY AND 3 ORS ...Respondents

Mr S.S. Kantak, Senior Advocate with Mr Abhijeet Kamat, Mr
Abhijeet Gosavi and Mr Guruprasad Naik, Advocates for the
Petitioners.

Mr. Deep Shirodkar, Additional Government Advocate for respondent
Nos.1 and 3.

Ms A. Agni, Senior Advocate with Ms Jay Sawaikar, Advocate for
respondent no.2- University.

Ms Annelise Fernandes, Advocate for respondent No.4.

Mr Sudin Usgaonkar, Senior Advocate with Ms Pooja Naik, Advocate
for respondent No.5.

**CORAM: M.S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATE: 31st JULY, 2023

P.C.:

1. Heard Mr S.S. Kantak, learned Senior Advocate who appears along
with Mr A Kamat, Mr A. Gosavi and Mr Guruprasad Naik, learned

Counsel for the petitioners, Mr Deep Shirodkar, learned Additional Government Advocate for respondent Nos.1 and 3, Ms Agni, Senior Advocate who appears with Ms Jay Sawaikar, learned Counsel for respondent no.2- University, Ms Annelise Fernandes, learned Counsel for respondent No.4 and Mr Sudin Usgaonkar, learned Senior Advocate who appears with Ms Pooja Naik, learned Counsel for respondent No.5.

2. The challenge in this petition was to the Goa University's Notification dated 25/07/2023, which had the effect of cancelling the petitioners' admission to the first year in the V.M. Salgaonkar College of Law and directing a fresh common entrance test for the academic year 2023-2024.

3. On 26/07/2023, after this matter was mentioned for urgent hearing, we made the following order:

"1. Heard Mr Kantak, learned Senior Advocate, who appears along with Mr A. Kamat, Mr A. Gosavi and Ms Saicha Desai for the Petitioners and Ms. A.A. Agni, learned Senior Advocate who appears with Ms Rajlaxmi Bhatkar for the Respondent-Goa University. Mr Deep Shirodkar, learned Additional Government Advocate, appears for Respondent Nos. 1 and 3.

2. Mr Kantak states that a private notice has been served on Respondent No.4.

3. We grant the Petitioner leave to add Govind Ramnath Kare College of Law through its Chairman of the Managing Committee as Respondent No.5

4. Ms. Agni, learned Senior Advocate for the Goa University fairly states that the notification dated 25.07.2023 will not be immediately implemented and a further notification is in the process of being issued so that the admitted students can continue to attend the classes of Respondent No.4. The students admitted in Respondent No.4-College and Govind Ramnath Kare College of Law, Margao can attend the classes until further orders.

5. Ms Agni further requests that the matter be kept for consideration on 31.07.2023. Accordingly, we post this petition for further consideration on 31.07.2023.

6. Mr Kantak states that immediate steps will be taken to serve Respondent Nos.4 and 5 and even an affidavit of service will be filed. In addition to usual mode of service, private service/humdast is allowed.

7. All concerned to act on an authenticated copy of this order."

4. Today, when the matter was called out Ms Agni learned Senior Counsel for the Goa University tenders Notification dated 28/07/2023 issued by the Goa University. This Notification dated 28/07/2023 reads as follows:

"Ref: GU/Acad-Admissions/2023-24/244 Date: 28/07/2023

Ref: GU/Acad-Admissions/2023-24/231 dated 25/07/2023

Ref: GU/Acad-Admissions/2023-24/238 dated 26/07/2023

NOTIFICATION

In continuation to the above referred Notifications, it is notified that, in view of the communication received from the

Secretary, Education, Government of Goa, the University has decided to cancel the conduct of GU-CLAT 2023 scheduled on 6th August 2023. The Directorate of Higher Education with the assistance of V.M. Salgaonkar College of Law, Miramar and G.R. College of Law, Margao will complete the admission process for the B.A.LL.B Programme for the academic year 2023-24.

*Sd/-
(Prof. V. S. Nadkarni)
REGISTRAR*

Copy to:

- 1. The Secretary to Hon'ble Chancellor*
- 2. The Director, Directorate of Higher Education*
- 3. The Dean, Manohar Parrikar School of Law, Governance and Public Policy*
- 4. The Principals of affiliated Law Colleges*
- 5. P.S. to Vice-Chancellor*
- 6. A.R to Registrar*

5. Similarly, Mr Shirodkar, learned Additional Government Advocate for the State, files the affidavit of the Under Secretary (Higher Education) Government of Goa explaining not only the position of the State but the efforts made by the State to secure an increase in seats for first-year Law Course in V.M. Salgaocar College of Law and G.R. Kare College of Law.

6. Mr Shirodkar referred to the communication dated 28/07/2023 addressed by the Secretary(Education) to the Registrar of Goa University, which reads as follows:

No. Secretary (Education)/Misc/2023/494 Date: 28-07 2023

To,

*The Registrar,
Goa University,
Taleigao Plateau, Goa - 403206*

Sub: First Year B.A.L.L.B. Admissions.

Sir,

Please find enclosed herewith approval received from the Bar Council of India to increase 30 seats for First Year B.A.L.L.B. (20 seats in V.M. Salgaocar College of Law, Miramar and 10 seats in G.R. Kare College of Law, Margao) based on the request of the Government of Goa, in order to resolve the First Year B.A.L.L.B. admission issue.

In view of the above, you may cancel the scheduled entrance test for first Year B.A.L.L.B. Admission.

The Directorate of Higher Education with the help of V.M. Salgaocar College of Law, Miramar and G.R. Kare College of Law, Margao will prepare a fresh merit list based on the criteria followed for all these years that is 50% weight-age for 12th examination and 50% weight-age for Goa Common Law Admission Test ("G-CLAT"). Based on the fresh merit list Directorate of Higher Education will admit students, those who have not got admission till date in both the colleges without disturbing the admission of the students, who have already been admitted to the First Year B.A.L.L.B class.

This will solve the entire issue without causing any harm to academic interest of any students,

Yours sincerely,

Sd/-

Secretary (Education)

Copy to:

1. *The Director, Directorate of Higher Education, SCFRT, Alto-Porvorim, Bardez, Goa - 403521.*

2. *The Principal, V.M Salgaocar College of Law, Miramar, Panjim, Goa- 403001.*

3. *The Principal, G.R. Kare College of Law, P.O. Box No. 777, G.R. Kare Road, Tansor, Comba, Margao, Goa 403601*

4. *Guard file copy*

5. *Office copy*

7. Mr Kantak, learned Senior Advocate for the petitioners states that the Goa University's Notification dated 28/07/2023 read with the State Government's communication dated 28/07/2023, redress the petitioners' grievances in the present petition. Accordingly, he seeks leave to withdraw the petition, given the two Notifications securing the admission of the petitioners.

8. Since the petitioners' grievances stand adequately redressed, we allow the petitioners to withdraw this petition. This petition is disposed of as withdrawn. No costs.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.