

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 5106 OF 2015
IN
WRIT PETITION NO. 636 OF 2011**

Vishwadeep Subhash Thakur .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Arun H. Koralkar, Advocate for the Applicant.

Shri P. N. Mule, A.G.P. for the Respondent No. 1.

Shri A. B. Tele, Advocate for the Respondent No. 2.

Shri K. C. Sant, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 07TH MAY, 2015.

PER COURT :

. Mr. Koralkar, the learned counsel submits that, pursuant to the interim orders passed by this Court in writ petition, the applicant has completed B. D. S. course, so also completed the internship. The result of final year examination is also declared. However, the respondents are not issuing degree certificate and the original documents. The applicant has also filed undertaking to this Court that, the applicant/petitioner will not take benefit of reservation till the present writ petition is decided on merit.

2. Mr. Sant, the learned counsel for the university submits that, considering the application, the prayers made would be in

the nature of final relief. As such, the degree certificate is not issued.

3. We have heard the submissions canvassed by the learned counsel for respective parties. Pursuant to interim orders passed by this Court, the applicant/petitioner has completed B.D.S. course. It has been stated that, the applicant has passed B.D.S. final examination, so also has completed the internship. The applicant has also filed undertaking to this Court stating that the applicant/petitioner would not claim benefit of reservation till the pendency of writ petition.

4. Considering the above, we pass following order.

5. In case the applicant/petitioner has successfully completed internship and has passed B. D. S. course, then the respondents university/college shall issue the degree certificate and the original documents as per rules. The applicant shall not be entitled to claim benefit of any reservation in further studies, service or in any walk of life, till the disposal of writ petition. The civil application is disposed of.

6. Naturally, the parties would be bound by the judgment delivered by this Court in the pending writ petition.

[A. I. S. CHEEMA, J.]

[S. V. GANGAPURWALA, J.]

bsb/May 15