

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8875 OF 2014

BHUSHAN CHHOTU JADE
VERSUS
THE UNION OF INDIA AND OTHERS

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Advocate for Petitioner : Mr. Gujar Gajendra L
Advocate for Respondent No.1: Mr. Bhushan Kulkarni
Advocate for respondent No.3: Mr. K.C. Sant.

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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 16th JUNE, 2015

P.C. :-

1. Heard learned counsel for the petitioner, Mr. Kulkarni, learned counsel for respondent No.1 and Mr. Sant, learned counsel for respondent No.3.

2. The issue involved in this writ petition is no longer res-integra in view of the judgment of this Court dated 10.10.2013 in writ petition No. 3391 of 2013.

3. The examination form of the petitioner for appearing first year B.A.M.S. examination is not accepted on the ground that he has not passed first year B.A.M.S. examination within stipulated attempts. Respondent Nos. 2 and 3 are served. Mr. Sant, learned counsel

appears of respondent No.3. None appears for respondent No.2 and 4.

4. In view of the judgment dated 10.10.2013, passed in writ petition No. 3391 of 2013, the impugned order is quashed and set aside. The respondent University shall not refuse to accept the examination form of the petitioner for the first year B.A.M.S. Course only on the ground that the petitioner has not cleared first year B.A.M.S. examination in stipulated attempts.

5. Writ petition is accordingly disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

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