

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10445 OF 2014
IN WP/4443/2014

THE JAWAHARLAL NEHRU ENGINEERING COLLEGE, AURANGABAD
VERSUS
GAURAV YESHWANT THORAT AND OTHERS
WITH

CIVIL APPLICATION NO. 10447 OF 2014
IN WP/4544/2014 WITH CA/7699/2014 IN WP/4544/2014

THE JAWAHARLAL NEHRU ENGINEERING COLLEGE, AURANGABAD
VERSUS
ANIKET BHARAT PHULARI AND OTHERS

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Advocate for Applicant : Mr. V. D. Salunke
AGP for Respondent / State : Mr. G.K. Thigale
Advocate for Respondent / Org. Petitioner : Mr. V.V. Bhavthankar

**CORAM : S.V. GANGAPURWALA
& A.M. BADAR, JJ.
DATE : 14TH JANUARY, 2015.**

PER COURT:

1] Mr. Bhavthankar, learned counsel for the original writ petitioner submits that now, nothing remains in the original writ petition also. The said fact is also accepted by Mr. Salunke, learned counsel. The present civil applications are filed by the institution for recall of the last line of the order dated 1st October, 2014, wherein, this court had observed that practical and term work shall be sent by the college to the University.

2] Mr. Salunke, learned counsel submits that said practical and term work is required to be assessed by pair of examiners in which one has to be the subject teacher and another appointed by the University. The learned counsel submits that petitioners did not perform required number of practicals and are not assessed by; the subject teacher. The petitioners did

not complete term work and as such, verification of the practical by the external examiner could not take place.

3] Mr. Salunke further submits that subsequent to the filing of the present applications, the applicant has taken all the steps for completing the practical and term work and has sent it to the University before the theory examination is conducted and the non applicants have appeared. The result was declared. The non applicants failed and again non applicants have appeared for further examination.

4] Mr. Bhavthankar, learned counsel submits that it was only a day prior to the examination, the present non applicants were called for collecting the Hall Tickets. Mr. Bhavthankar submits that practical and term work was completed and sent by the college to the University, but, at the eleventh hour. Vide order dated 1/10/2014, this court has only observed that the practical and term work shall be sent by the college to the University. In fact, time limit was not prescribed. It was expected that the said practical work would be completed before the theory examination. It is not disputed that the same was completed and sent to the University before the theory examination.

5] In the light of that, nothing survives now for consideration. Civil applications are accordingly disposed of. List the writ petitions before the regular Bench on 21st January, 2015.

[A.M. BADAR]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-