

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 38 OF 2015

IN

WRIT PETITION NO. 120 OF 2015

DR. SANTOSH N. H. AND ANR.,

... Applicants

Versus

STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 4 ORS.,

... Respondents

Mr. S. S. Kantak, Senior Advocate with Mr. Abhijeet Kamat,
Advocate for the applicants.

Mr. D. Lawande, Government Advocate with Mr. Salvador Santosh
Rebello, Additional Government Advocate for the respondents no.1
to 3.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 10th March, 2015

P.C.

Heard Mr. S. S. Kantak, learned Senior counsel appearing for the
applicants and Mr. D. Lawande, learned Government Advocate
appearing for the respondents no.1 to 3.

2. The applicants have filed the above application inter alia seeking
for a No Objection Certificate from the respondent no.4 to enable the
applicant no.1 to obtain an allotment letter from the NBE in New
Delhi and thereafter to complete the formalities of admission in P. D.
Hinduja Hospital at Mumbai.

3. We have heard the learned Senior Counsel appearing for the
applicants as well as the learned Government Advocate appearing for
the respondents.

4. By an ad-interim order passed on 26.2.2015, we have facilitated the appearance of the applicants for counseling before NBE at New Delhi.

5. It is now reported by the learned Senior Counsel appearing for the applicants that applicant no.1 was successful and has been asked to report to the NBE at New Delhi on 11.3.2015 with NOC to obtain allotment letter and thereafter within one week to the college with requisite documents for admission.

6. The Petition has already been fixed for hearing after service is complete on the newly added respondent no.5 who has apparently not been served.

7. Considering the urgency in the matter and in the interest of justice, we find it appropriate without prejudice to the rights and contentions of the parties to pass following as far as the applicant no.1 is concerned.

O R D E R

i. The respondent no.4 shall issue the requisite No Objection Certificate to the applicant no.1 to facilitate its production to NBE at New Delhi on 11.3.2015 preferably by today.

ii. The applicant no.1 shall thereafter complete the formalities of admission in the said college within one week.

iii. The applicant no.1 shall continue in service of the GMC and report for duty immediately thereafter.

iv. The applicant no.1 shall not join the said college without seeking permission from this Court.

v. The above arrangement is subject to further orders in the above Writ Petition.

vi. The relieving letter or any other documents shall be released subject to further orders in the petition.

8. Application stands disposed of accordingly. Liberty to the applicant no.2 to apply.

K. L. WADANE, J.

F. M. REIS, J.

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