

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4305 OF 2015

1 Ms. Rauthkhedkar Pallavi and
14 ors. Petitioners

vs

1 Union of India and 7 ors. Respondents

ALONG WITH

WRIT PETITION NO. 4306 OF 2015

1 Mr. Rathore Shashwat and ors. Petitioners

vs

1 Union of India and 7 ors. Respondents

Mr. Pratap Patil for the Petitioners.

Mr. M. S. Bhardwaj with Ms. R. Thakker, A. M. Sethana for
respondent No.1.

Mr. Ganesh K. Gole for respondent No.2.

Mr. V. N. Sagare, AGP for Respondent/State.

Mr. V.M. Thorat for respondents 6 and 7.

ALONG WITH

WRIT PETITION NO. 2894 OF 2015

(NOT ON BOARD)

1 Shree Chhatrapati Shivaji Education
Society and anr. ... Petitioners

vs

1 Union of India and 7 ors. Respondents

Mr. V.M. Thorat for the petitioners.

Mr. M. S. Bhardwaj with Ms. R. Thakker, A. M. Sethana for

respondent No.1.

Mr. Ganesh K. Gole for respondent No.2.

Mr. V. N. Sagare, AGP for Respondent No.4/State.

AND ALONG WITH
WRIT PETITION NO. 1758 OF 2015
(NOT ON BOARD)

1	Shree Chhatrapati Shivaji Education Society and anr.	...	Petitioners
	vs		
1	Union of India and 7 ors.		Respondents

Mr. V.M. Thorat for the petitioners.

Mr. M. S. Bhardwaj with Ms. R. Thakker, A. M. Sethana for
respondent No.1.

Mr. Ganesh K. Gole for respondent No.2.

Mr. V. N. Sagare, AGP for Respondent No.4 & 5/State.

**CORAM: ANOOP V. MOHTA AND
K. R. SHRIRAM, JJ.**

DATE : April 29, 2015

P.C.:

Writ Petition Nos. 2894/2015 and 1758/2015 are not on
board. Upon mentioning, taken on board. These two petitions are
filed by the management-Respondent No.7 in Writ Petition No.
4305/2015.

2 As the issue involved in all these matters is common,
therefore, the same are disposed by this common order.

3 In view of orders passed by the Hon'ble Supreme Court in I. A. Nos. 4 and 5 in Writ Petition (Civil) No.469 of 2014- Hind Charitable Trust v. Union of India, dated 18 September 2014 and 25 September 2014, we are inclined to permit the Petitioners to approach the Supreme Court for appropriate order and direction as the Petitioners' students and so also to the management's to quash and set aside orders dated 31.12.2014 and 28.1.2015 issued by Respondent No.2-Medical Council of India and Maharashtra University of Health Sciences. It is observed that all students in question have been admitted in contravention to the orders passed by the Supreme Court on 18.09.2014 and 25.09.2014 as aforesaid. The submission on behalf of the students as well as the management made by the respective counsel that these students will suffer for want of no timely action taken by Respondent No.5, before 30 September 2014 to provide the students as the College/Institution otherwise eligible to take the students as they have complied earlier order of the Supreme Court to run such institution. The managements, therefore, in view of the investments already made and as otherwise competent and eligible with infrastructure have admitted the students from list of Association CET as the students were not provided from the State

list. All these students are studying in First Year course in the Institute/management since 1 October 2014. The statement is made that the management is charging fees from the students as per the State Government norms.

4 Therefore, by keeping all points open, in the present facts and circumstances as the Petitions are filed in February 2015 but pressed now, we are inclined to dispose of the present Writ Petitions with liberty to approach the Supreme Court for appropriate order. Order accordingly.

5 There shall be no order as to costs.

(K. R. SHRIRAM, J.)

(ANOOP V. MOHTA, J.)