

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPOICATION No. 819 OF 2015

IN

WRIT PETITION NO. 7944 OF 2013

Sudhir Suresh Sahu

.... Applicant

vs

The Principal, Terna Medical College,
and Hospital and ors.

.... Respondents

Ms. Prabha U. Badadare I/by Mr. B. G. Tangsali for the
Applicant.

Mr.C.P. Yadav, AGP for respondents 2 and 3.

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

DATE : March 26, 2015

P.C.:

The Petitioner/Applicant has served all the Respondents
privately. None appears for the Respondents though served. The
Petitioner/applicant to file affidavit of service by tomorrow i.e.
27.03.2015.

2 The Petitioner's caste claim issue is pending in this

Court. By order dated 26.03.2014 this Court directed the Respondents to accept the examination form. The Petitioner accordingly has submitted the form and the Respondents also accepted the same. Therefore, at this stage, the insistence to deposit the repeater's fee by the Petitioner treating him in open category to the extent of Rs.1,31,217/- need to be stayed and the Petitioner be treated as belonging to Scheduled Caste and fee for such candidate as per letter dated 9.3.2015 is Rs.1870/- and as the same is already paid, therefore, at this stage, by keeping all points open and subject to final decision of this Petition, with clear understanding that the Petitioner shall not claim any equity, if order passed against him and will be liable to make the payment so asked. However, that will also be subject to further order of this Court.

Therefore, we are inclined to allow this Civil Application in terms of prayer (a). Order accordingly.

(K. R. SHRIRAM, J.)

(ANOOP V. MOHTA, J.)