

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10041 OF 2016

PRAFULL VENKATRAO GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. J.S. Deshmukh
AGP for Respondents: Mr. S.S. Dande

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CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 30TH SEPTEMBER, 2016.

PER COURT:

1] The petitioner is praying for issuance of directions to the respondents to consider his claim for admission to Post Graduate Medical Course conducted by the Directorate of Health Services DHS-CPS. It is not disputed that the departmental proceedings are pending against the petitioners, and as such, in view of the regulations framed by the State Government and more particularly, directions contained in the Government Resolution dated 3rd May, 2011, the petitioner is not entitled to pursue higher studies as an in-service candidate.

2] Counsel for the petitioner points out that departmental enquiry proceedings have commenced and he has been served with the charge sheet on 20th April, 2016. In the event of exoneration of the petitioner of the charges levelled against him, he would be entitled to claim admission atleast

during the next process of admission. The next process of admission to CPS is likely to commence within six months.

3] In this view of the matter, respondent Nos. 2 and 3 are directed to conclude the departmental enquiry proceedings initiated against the petitioner, as expeditiously as possible and preferably within a period of 4 months from today.

4] With the directions as aforesaid, writ petition is disposed of.

[K.K.SONAWANE]
JUDGE

[R.M. BORDE]
JUDGE

grt/-