

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1920 OF 2016

1. Dr. Reena Ravindra Jambulkar & Anr. ... Petitioners

Vs

1. Union of India & Ors. ... Respondents

Ms. Pooja Thorat for the Petitioners in all the petitions.

Mr. Chandrakant N. Chavan with Mr. Rui A. Rodrigues for the Respondent No.1.

Mr. L.S. Shetty for the Respondent No.2.

Ms. Sushma Bhende, AGP, for the Respondent No.3 – State.

Mr. Ganesh K. Gole for the Respondent No.7.

**CORAM : S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**

MONDAY, 29TH FEBRUARY, 2016

P.C. :

1. The petitioners in this petition, though originally from Nagpur, have attended the two colleges and hospitals in Mumbai as a part of their diploma in psychiatric course. That is a course which is recognized and approved by the Maharashtra University of Health Sciences, Nashik. The affiliated colleges, namely,

Lokmanya Tilak Municipal Medical College and Seth G.S. Medical College, both Municipality run medical colleges in the city of Mumbai have certified that the petitioners did attend this diploma course from 4th September, 2013 / 5th September, 2013, and duly completed the same in May / June, 2015. They have stated that these petitioners worked as full-time residents in the Department of Psychiatry and the document at page 69 of the paper-book says that the petitioner No.1 has taken the required training and prescribed number of classes as per the MCI Regulations. She has attended not less than 80 per cent of imparted training during each academic year.

2. Ms. Thorat stated that the document at page 70 / certificate issued by the King Edward-VII Memorial Hospital, Parel, Mumbai, signed by the Dean is on identical terms.

3. All that is possibly lacking therein is the sentence or statements as are to be found at page 69 of the paper-book. The certificate at page 69 gives specific details of the attendance at the classes and training sessions. Such a certificate will be produced by the petitioner No.2 - Dr. Swati Shankarrao Chavan.

4. Both would be attending the counselling of the Board Examinations scheduled on 3rd March, 2016, at New Delhi. They would be carrying with them these certificates in originals. As far as Dr. Swati Shankarrao Chavan is concerned, she would be agreeable to the condition put by this Court, namely, her participation in the counselling and eventual admission, if any, shall be subject to the verification by the National Examination Board of the petitioner's certificate at page 70 of the paper-book. All the details that are required to be obtained from the Seth G.S. Medical College can be obtained by the National Board of Examinations and the petitioner would have no objection to her participation and eventual admission, if any, being made subject to the same.

5. However, Ms. Thorat would submit that the Board must complete the process and do not compel the petitioner to approach this Court either to seek a direction to the Board or the Seth G.S. Medical College.

6. We see this request as reasonable and direct that the Board

must complete the verification and scrutiny from Seth G.S. Medical College and K.E.M. Hospital, Mumbai, within a period of eight weeks from the date the petitioners are found eligible post counselling for the subject course.

6. The Writ Petition is disposed of with identical reasons as is assigned by us in the lead matter (Writ Petition No.10170 of 2015). These additional directions shall also form part of our order. There shall be no order as to costs.

All concerned to act on an authenticated copy of this order.

G.S. PATEL, J.

S.C. DHARMADHIKARI, J.