

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

WRIT PETITION NO. 6585 OF 2013

Kum. Sanditi D/o. Narendrakumar Poyam versus Director of Medical Education and Research and Ors.	} } } } }	 Petitioner Respondents
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Ms. Prachi Tatake i/b. Mr. Vaibhav
A.Sugdare and Mr. Mahesh Deshmukh for
the petitioner.

Ms. Sushma Bhende – AGP for respondent
nos. 1 to 3.

**CORAM :- S. C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATED :- August 11, 2016

P.C. :-

1) The petitioner has challenged in this petition the order granting caste validity certificate to a student, namely, respondent no. 4.

2) It is claimed that this certificate of validity could not have been issued in terms of the applicable law. The petition is by a student next in the order of merit and who claims that he lost the opportunity to take education only because a false claim of respondent no. 4 has been entertained. The certificate of validity is vitiated by fraud and tainted with illegality. However, on

further instructions, the petitioner's advocate was informed that there is no record of this 4th respondent having been admitted in the medical institute, namely, Bombay Hospital Institute of Medical Sciences, Mumbai.

4) Respondent no. 4 could also not be served otherwise.

5) Since the institution does not have the record of admission of the 4th respondent, we need not examine the complaint of the petitioner any further. The petition is disposed of as infructuous.

(DR. SHALINI PHANSALKAR-JOSHI, J.) (S.C.DHARMADHIKARI, J.)