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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10696 OF 2016

Shashwat Rathore and Ors. ... Petitioners
Versus
Union of India and Ors. ... Respondents

Mr. I.M. Khairdi for the petitioners.

Mr. Y.R. Mishra for respondent no.1 Union of India.

Ms. Rita Yadav i/by Reeti Law Associates for respondent nos. 6 and 7.

Mr. S.S. Patwardhan for respondent no. 3.

Mr. R.V. Govilkar for respondent no. 8.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 23, 2016.**

P.C.

Parties through their counsel.

2. Learned counsel for the petitioners undertakes to deposit the deficit court fees during the course of the day.

3. Undisputedly the petitioner students have been admitted by the respondent no. 6 and 7 colleges in breach of the orders passed by the Supreme Court in the case of Hind Charitable Trust Shekhar Hospital Pvt. Ltd. Vs. Union of India in Writ Petition (Civil) No. 469 of 2014. In the circumstances, when the petitioners had approached the

Supreme Court, the Supreme Court vide order dated 10.3.2016 declined to grant any relief for allowing the petitioners to continue with the course. When the matter stood thus, again the petitioners have filed this petition seeking the same relief on the ground that now the Admission Regulatory Authority, respondent no. 3 has made observations that since the petitioners are not at fault, they should not be made to suffer. Taking the shelter of these observations of the Admission Regulatory Authority, the petitioners have approached this Court.

4. Having considered the submissions made by the learned counsel for the petitioners, we find that once the matter has travelled upto the Supreme Court and the Supreme Court has declined to grant any relief to the petitioners, it is not open for the petitioners to seek similar relief before this court. At this stage, we have been informed by the learned counsel for respondent no. 3 that the petitioners have already approached the Supreme Court by filing the review petition. Keeping in view the entire aspect of the matter as also the fact that the petitioners have already approached before the Supreme Court by filing review petition, we are of the view that no case for interference is made out. Petition fails and the same is hereby dismissed.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)