

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

WRIT PETITION NO. 9487 OF 2015

1. Dr. Foram Kothari & Ors. ... Petitioners
Vs
1. Union of India & Ors. ... Respondents

**WITH
WRIT PETITION NO. 9660 OF 2015**

1. Dr. Sudhir Hariram Patil & Ors. ... Petitioners
Vs
1. Union of India & Ors. ... Respondents

**WITH
WRIT PETITION NO. 9756 OF 2015**

1. Dr. Anshul Diwakar & Ors. ... Petitioners
Vs
1. Union of India & Ors. ... Respondents

**WITH
WRIT PETITION NO. 9757 OF 2015**

1. Dr. Mamata Gupta & Ors. ... Petitioners
Vs
1. Union of India & Ors. ... Respondents

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

Mr. Rui A. Rodrigues with Mr. P.S. Gujar for the Respondent No.1
in WP No. 9487 of 2015.

Mr. Rui Rodrigues for the Respondent No.1 in WP 9660 of 2015.

Mr. Rui Rodrigues with Mrs. Neeta V. Masurkar and Mr. S.G. Thakar for the Respondent No.1 in WP No.9756 of 2015 and WP No. 9757 of 2015.

Mr. L.S. Shetty for the Respondent No.2 in all the petitions.

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

Mr. Ganesh K. Gole for the Respondent No.7 in WP No.9487 of 2015 and for the Respondent No.9 in WP Nos.9660 of 2015, WP No.9756 of 2015 and WP No. 9757 of 2015.

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

MONDAY, 29TH FEBRUARY, 2016

P.C. :

1. In these matters also, the controversy is more or less identical as in Writ Petition No. 10170 of 2015, the only difference being that in these petitions, upon an interim order and direction dated 30th September, 2015, the petitioners have appeared at the counselling, they have been declared successful and enrolled for the course, but their admissions have not been regularized till date.

2. Thus, the parties have acted upon the ad-interim orders passed in these Writ Petitions which itself clarifies that the entire process is subject to further orders of this Court.

3. Now, Mr. Shetty states that the matter having been clarified in the lead case, namely, Writ Petition No.10170 of 2015, today, the Board will scrutinize the documents and certificates produced by the petitioners so as to indicate compliance with regard to clause 13.2 of the Medical Council of India Post Graduate Regulations and communicate the outcome to the petitioners within four weeks from today. Thereby, they would be informed that everything is in order and their admissions are regularized from inception.

4. If the certificates are not in accordance with the MCI's Rules and Regulations, then, even that decision either to direct the petitioners to produce fresh certificates or reject the certificates produced or documents on file as non compliant will be communicated within the time frame stipulated by this Court.

5. We direct that after the main issue has been resolved, the National Board of Education shall act in terms of the above and communicate its decision within a period of four weeks from the date of receipt of a copy of this order.

6. All the above petitions are, accordingly, disposed of. 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.