

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2578 OF 2016
IN
WRIT PETITION NO. 3417 OF 2016

Ms. Shradha Avinash Gaikwad ...Applicant

vs.

State of Maharashtra Through its Secretary,
Ministry of Tribal Development Department
and others

...Respondents

.....

Mr. M. S. Kulkarni for the Applicant/Petitioner.

Ms. R. M. Shinde, AGP for Respondent-State.

.....

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 04, 2016**

P.C.:

1. Parties through their counsel.
2. Heard on Civil Application No. 2578 of 2016.
3. Learned counsel for the petitioner submits that the petitioner's caste validation claim is pending before the committee and the same has not yet been decided. He submits that while considering the prayer for interim relief made by the petitioner in Writ Petition, this Court had granted ad-interim order in terms of prayer clause (c) which reads thus:

"(c) pending the hearing and final disposal of this Writ Petition, allow the Petitioner to fill up the examination form with further direction to allow her to appear for annual examination of BDS Degree Course scheduled to be held in the month of May 2016."

4. It is the case of the petitioner that now, for want of declaration of result, the petitioner has been asked to appear in the examination scheduled from 5th October 2016 treating the petitioner to be under the category of the students whose results have been withheld. According to the petitioner, for no fault of her, she will be suffering and she has to appear for the examination once again even if she has passed the same examination. In the circumstances, a prayer has been made through this Civil Application to direct the respondents to declare her result so that she will be in a position to take a decision whether she is required to appear for the examination for which she has been directed to appear. Keeping in view the entire facts and circumstances of the case, we allow the Civil Application by directing the respondents to declare the petitioner's result forthwith. However, it is made clear that declaration of result shall be subject to final outcome of this petition.

5. Civil Application is disposed of.

6. Parties to act on an authenticate copy of this order.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)