

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1206 OF 2016

Dr. Pravin Bhausaheb Shinde	}	Petitioner
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Mihir Desai - Senior Advocate i/b. Ms. Anushka Shreshtha and Aafrin Shaikh for the petitioner.

Ms. P. H. Kantharia - Government Pleader with Mr. Umashankar Upadhyay - AGP for respondent no. 1.

Mr. Rahul Sarda i/b. Ms. Sangeeta Yadav for respondent no. 2.

Mr. Ganesh K. Gole for respondent no. 3.

Mr. S. S. Patwardhan for respondent no.4.

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

DATED :- JULY 19, 2016

P.C. :-

1) This petition was argued on two occasions extensively. On the last occasion, after conclusion of the arguments and when it was placed for passing orders in court today, Mr. Sarda, on instructions, states that the Maharashtra Medical Council/respondent no. 2 withdraws the order impugned in this

petition and would conduct a fresh inquiry into the allegations against the petitioner. That inquiry would be conducted in accordance with law. This inquiry would not be influenced in any manner by the earlier exercise nor would the Council be bound by any of the observations, findings and conclusions therein. It is in such circumstances that he submits that no detailed judgment and assigning elaborate reasons be delivered. All statements are accepted.

2) Once the Council is ready and willing to withdraw the impugned order dated 30th April, 2016 Annexure 'R' to the writ petition with liberty to conduct a fresh inquiry and in accordance with law, Mr. Desai does not press this petition. The writ petition is disposed of accordingly. We clarify that we express no opinion on the rival contentions and the merit of the controversy.

3) The original records produced by the Maharashtra Medical Council be returned to Mr. Sarda on production of an authenticated copy of this order and with replacement of the record by a certified true copy thereof.

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