

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4842 OF 2003

(Dr. Pramod Wasudeorao Rakshamwar vs. The State of Maharashtra thr. its Secretary,
Department of Health & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
APRIL 25, 2016.**

Shri Sachin Sambre, learned counsel for the petitioner and Shri M.M. Ekre, learned AGP for the respondents.

After hearing the learned AGP for the respondents on 07.04.2016, we have passed the following order :

“Heard learned Assistant Government Pleader appearing for the respondents. On 21st of April, 2004, while issuing Rule by interim order, petitioner has been permitted to appear in Post Graduate Course in Ayurved, by conducting special entrance examination. His provisional admission was subjected to result of departmental enquiry and it was ordered that it should be completed expeditiously. It is stipulated that enquiry should be completed before petitioner is required to appear for the final examination.

State Government has on 12th of December, 2006 filed a pursis informing the Court that copy of enquiry report is served upon the petitioner and his

response thereto was awaited. State Government has assured that after receipt of petitioner's reply it would be immediately forwarded to Disciplinary Authority and within four months appropriate decision would be taken.

Period of more than nine years has expired after this pursis. Hence, we direct parties to place on record subsequent event, if any, having bearing on the issue. The same be placed on record within two weeks from today.

List the matter for further consideration on 25th of April, 2016 in order matters.

Steno copy of this order be furnished to the parties.”

Thereafter, the petitioner has filed additional affidavit on 20.04.2016 pointing out that he has been permitted to appear for Doctor of Medicine (Ayurved) Degree and his result has also been declared. The degree awarded to him is degree of Doctor of Medicine (Ayurved) for the examination passed in Summer 2008. A copy of degree dated 08.01.2010 is also produced on record. The Government decision dated 07.03.2010 looking into Inquiry report and explanation thereto submitted by the petitioner on 17.01.2007 is also produced by the petitioner. The State Government has exonerated the petitioner from all charges.

Thus, the petitioner has been permitted to prosecute his studies, his result has been declared and he is also exonerated from Departmental Enquiry. Hence, the grievance of the petitioner has been redressed and he has got the relief to which he is entitled.

The learned AGP is seeking time to verify the subsequent developments.

However, in the light of affidavit filed by the petitioner, we dispose of the present writ petition as infructuous. Rule discharged. No order as to costs.

JUDGE

JUDGE

*GS.