

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

WRIT PETITION No. 3476/2016.

Ku. Kalyani Suryakant Gaikwad

-VERSUS-

Maharashtra University of Health Sciences, Nashik and another.

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 &
KUM. INDIRA JAIN, JJ.

DATE : JUNE 29, 2016.

Heard Shri M.P. Lala, learned Counsel for
the petitioner.

2. The learned counsel for petitioner attempts
to demonstrate that though the petitioner has put in
about 85% of attendance, the respondent no.2 College
has not recognized it and her examination form and
necessary papers have not been forwarded to
respondent no.1 University by alleging lack of
attendance.

3. The examination of BDS (4 years course,
2nd Semester) is scheduled to commence today. The

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petitioner has taken admission to that Course in the year 2009-10.

4. In view of this assertion, we have heard Shri A.A. Naik, learned counsel for respondent no.2 and Shri Malokar, learned counsel for respondent no.1 University.

5. Learned counsel for respondent no.2 has produced before us photocopies of attendance of all students of final year for period from start of session till 29.02.2016 and thereafter from 01.03.2016 till 31.05.2016. Till 29.02.2016, the attendance of petitioner is shown separately for theory classes and practical classes in Prosthodontics, Conservative, Oral Surgery and Pedodontics. Average attendance is 3.38%.

6. Communication dated 03.05.2016 was forwarded by speed post to her parents, and copy of that communication is also produced before this Court. Parents were informed about her loss attendance and also of the condition that 75% attendance in Theory Classes and 80% in Practical is essential. The communication has not been pointed out to this Court by the petitioner. However, till 31.05.2016, average of

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her attendance works out to 8%.

7. The documents produced by learned counsel for respondent no.2 are taken on record and marked as **Exhs. A, B and C**, respectively.

8. The petitioner has not explained why her college would record her less attendance. Her previous performance as is apparent from the documents placed on record is also not very satisfactory.

9. In this situation, we find that no case is made out warranting interference in writ jurisdiction. Writ Petition is, therefore, rejected. No costs.

JUDGE

JUDGE

Rgd.