

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 5166/2016

(ROHIT MADANLAL DOHRE & OTHERS **VERSUS** YASHWANTRAO CHAVAN MAHARASHTRA OPEN
UNIVERSITY, NASIK & OTHERS)

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

Court's or Judge's orders

Shri Tejas Patil, counsel for the petitioners.
Shri A. Parchure, counsel for the R-1 & 2.
Shri S.P. Bhandarkar, counsel for the R-3.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : DECEMBER 9, 2016.

Shri Parchure, the learned counsel for the respondent nos.1 and 2, states that a similar petition was filed by sixteen other students bearing Writ Petition No.2752 of 2016 and this Court has, by the order dated 20.07.2016, disposed of the writ petition as the examination for the said course was already over and the cause for filing the writ petition had been rendered infructuous. It is stated that the prayer made by the petitioners herein is similar to the prayer made in the earlier petition and after the examination is conducted, a direction cannot be issued against the respondent nos.1 and 2 to accept the admission fees of the petitioners-students.

On a reading of the order in Writ Petition 2752 of 2016, it appears that this writ petition is also liable to be disposed of as the examination for the D.M.L.T. course is already concluded. The petitioners cannot seek an order in the aforesaid background for a direction against the respondent-University, to permit the petitioners to appear at the examination. A direction also cannot be issued

against the respondent nos.1 and 2 in the circumstances of the case to conduct a separate examination for the petitioners and permit them to appear at the examination.

Hence, the writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

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