

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT APPEAL No.596 OF 2008

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal is preferred by the N.T.R. University of Health Sciences against the interlocutory order passed in W.P.M.P. No.8427 of 2008 in Writ Petition No. 6453 of 2008 dated 9.4.2008 whereby the University was directed to consider and pass appropriate orders for grant of admission against the available seats in M.D. Unani course, subject to the condition that such of those candidates who were offered admission would be permitted to appear for the examinations, along with the batch of students admitted in the next academic session. The learned Single Judge further left it open to the University to invite options from such of those students who had already been admitted into M.D. Unani course for the year 2007-08 and observed that, if they chose to stake a claim for admission, their past attendance will not enure to their benefit for appearing for the examinations, and they would have to appear for examinations along with such batch of students who would be granted admission in the next academic session only.

By its order in W.A.M.P. No. 1254 of 2008, dated 17.7.2008, this Court stayed implementation of the order passed by the learned Single Judge.

As the order, granting admission to the writ petitioners, has been stayed; and the said order has been in force for the past more than eight years, it is but appropriate that the writ petition itself be heard on its merits. As it would be wholly inappropriate to direct the University to now provide admission to students eight long years after they had appeared for admission in the year 2007-08, the interlocutory order under appeal is set aside.

The writ appeal is disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(U.DURGA PRASAD RAO, J)

8th August 2016

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