

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Writ Petition No. 1460 of 1999

District : Dhule

Dr. Sachin s/o. Sharadchandra Chingre,
Age : 28 years,
Occupation : Service,
R/o. Champa Baug, Sakri Road,
At Dhule.

.. Petitioner.

versus

1. Mr. Shriram Sharma,
Chairman,
Central Council of Indian Medicine,
61-65, Institutional Area,
Janakpuri,
New Delhi - 110 058.
2. Mr. S.F. Patil,
Vice-Chancellor,
North Maharashtra University,
Jalgaon.
3. Mr. Arun Nigvekar,
Vice-Chancellor,
University of Pune,
Ganesh Khind,
Pune - 411 007.
4. Director of Ayurved,
Maharashtra,
New Administrative Building,
4th Floor, PWD Complex,
Ramkrishna Chemburkar Marg,
Chembur,
Mumbai - 400 071.

5. Mr. Vijay V. Doiphode,
Dean, Faculty of Ayurved,
University of Pune &
Principal,
Tilak Ayurved College,
583/2, Rasta Peth,
Pune - 411 011.
6. Secretary,
Department of Medical Education
& Drugs,
Govt. of Maharashtra,
Mantralaya,
Mumbai - 400 032.
7. Mr. Suwalal Bafna,
Chairman (Acting),
Dadasaheb S. Naik
Ayurved College,
Nagon, Dhule.
8. Mr. Ramesh Ajmera,
Chairman,
D.C.S.S. Ayurved College,
Deopur, Dhule.
9. Dr. Mr. Rajendra Manohar More,
Adult, Beneficiary
M.D. Candidate.
10. Dr. Mr. Vilas Abhimanyu Patil,
Adult, Beneficiary,
M.D. Candidate.
11. Dr. Mrs. Shubhada Smit Bhavsar,
Adult, Beneficiary,
M.S. Candidate.
12. Dr. Mr. Yashwant Anandrao Patil,
Adult, Beneficiary,
M.D. Candidate.
13. Dr. Mr. Sanjay Tukaram Chitte,
Adult, Beneficiary,
P.G. Diploma Candidate.
14. Dr. Mr. Vijay Sahebrao Suryawanshi,
Adult, Beneficiary,
P.G. Diploma Candidate.

15. Dr.Mr. Rajesh Madhukar Patil,
Adult, Beneficiary,
M.D. Candidate.
16. Dr.Mr. Deepak Raghunathrao Patil,
Adult, Beneficiary,
M.D. Candidate.
17. Dr.Mr. Deepak Aabaji Patil,
Adult, Beneficiary,
P.G. Diploma Candidate.
18. Dr.Mr. Nitin Vasantrya Agnihotri,
Adult, Beneficiary,
P.G. Diploma Candidate.
19. Dr.Mr. Prabhakar Shamrao Salunke,
Adult, Beneficiary,
M.D. Candidate.

Respondent Nos.9 to 19 are
R/o. Dadasaheb Surupsing Naik
Ayurved College, Nagon, Dhule.

20. Dr.Mr. Sanjay Balkrishna Nandekar,
Adult, Beneficiary,
P.G. Diploma Candidate.
21. Dr.Mr. Rajesh Shah,
Adult, Beneficiary,
P.G. Diploma Candidate.

Respondent nos.20 & 21 are
R/o. D.C. S.S. Ajmera Ayurved
College, Deopur, Dhule.

22. The State of Maharashtra.
23. The Central Govt. of India,
Ministry of Health & Family Welfare,
New Delhi.
24. University of Pune,
Ganeshkhind, Pune - 411 007.
(Through Registrar).

.. Respondents.

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Petitioner - party in person (Absent).

Mr. J.S. Gavane, Advocate, for respondent nos.01 to 03 (Absent).

Mr. A.R. Borulkar, Asst. Government Pleader, for respondent nos.04, 06 and 22.

Mr. Pravin S. Patil, Advocate, for respondent no.05.

Mr. N.B. Suryawanshi, Advocate, for respondent nos.07, 09, 14, 15, 16, 18 and 19.

Respondent no.08 served (Absent).

Mr. Mahesh Patil, Advocate, for respondent nos.10, 12, 13, 17, 20 and 21 (Absent).

Respondent no.11 served (Absent).

Respondent no.23 served (Absent).

*Mr. V.P. Golewar, Advocate, holding for
Mr. Arvind R. Joshi, Advocate, for respondent
no.24.*

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**CORAM : V.M. KANADE &
SANGITRAO S. PATIL, JJ.**

DATE : 04TH JANUARY 2017

ORAL JUDGMENT (Per V.M. Kanade, J.) :

None appears on behalf of the petitioner.

02. On the last date i.e. 06th June 2016, the petitioner - party in person appeared before the Court and stated that he has concluded his arguments and he has nothing to add.

03. We have perused the petition and annexures thereto. The petitioner is seeking following reliefs:-

(A) Stop such an illegal external M.D./M.S. course with immediate effect.

(B) Pending hearing and final disposal of this petition, the Hon'ble High Court may be pleased to stay (i) examinations, (ii) declaration of results, (iii) Convocation, for the illegal beneficiaries in the scandal.

(C) The Hon'ble High Court may be pleased to declare unauthorised and withdraw the illegal & fictitious degrees awarded to the beneficiaries.

(D) The Hon'ble High Court may be pleased to order the North Maharashtra University, Jalgaon, to cancel the approvals awarded to the beneficiaries as Lecturers / Professors at the Ayurved Colleges. These approvals have been granted on the basis of their fictitious degrees.

(E) The Hon'ble High Court may be pleased to issue show cause notices to the following authorities for their lack of performance, negligence and silence kept after being duly informed by registered letters regarding the scandal :-

(1) Mr. Shriram Sharma,
Chairman,
Central Council of Indian
Medicine.

(2) Mr. R.R. Padmawar,
Director of Ayurved,
Maharashtra, Mumbai.

(3) Mr. Arun Nigvekar,
Vice-Chancellor,
University of Pune.

(4) Mr. V.V. Doiphode,
Principal,
Tilak Ayurved College,
Pune and Dean,
Faculty of Ayurved,
University of Pune.

(5) Mr. T.C. Benjamin,
Secretary,
Dept. of Medical Education
& Drugs,
Govt. of Maharashtra,
Mumbai.

These respondents may be ordered to submit an affidavit.

(F) The Hon'ble High Court may be pleased to fix responsibility of the scandal and the culprits may be punished accordingly.

(G) The Hon'ble High Court may be pleased to order deep and stringent enquiry into this matter to find out whether only 'lack of performance' was the reason behind neglecting my massive correspondence & complaints since last 2 years or there are large scale monetary transactions or gains in the scandal suggesting collusion of all culprits and the beneficiaries.

(H) The beneficiaries in this scandal are quacks. Being hazardous to the health & lives of their patients, the Hon'ble High Court may be pleased to prohibit them from exhibiting their specialist degrees and from practising that particulars specialty.

(I) The Ayurved post-graduation education as a whole at the University of Pune is not up to the standards defined by the C.C.I.M. The Hon'ble High Court may be pleased to order the C.C.I.M. & the University to submit an affidavit regarding the facts related to standards viz. No. of P.G. guides, their qualifications, equipments and non-teaching staff at each P.G. department, etc.

Then the Hon'ble High Court may be pleased to take appropriate decision regarding continuing the P.G. Ayurved education at Pune University or otherwise. "

04. In our view, reliefs claimed by the petitioner cannot be granted by this Court while exercising writ jurisdiction under Article 226 of the Constitution of India. The petitioner is also seeking orders against number of persons who are not

made parties to the petition. That is second reason as to why it is not possible to grant reliefs claimed by the petitioner.

05. The Writ Petition is, therefore, dismissed. Rule discharged. There shall be no order as to costs.

(Sangitrao S. Patil)
JUDGE

(V.M. Kanade)
JUDGE

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