

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6875 OF 2008

1. Dr.Nawaz Baig Wahad Baig,
Age-44 years, Occu-Professor
D.K.M.M.Hom.Medical College,
Aurangabad
R/o House No.5-3-74/1,
Old Osmanpura, Pir Bazar,
Lalit Kala Bhavan,
Aurangabad,
2. Dr.Bharatkumar s/o Laxmichand Sanghvi,
Age-50 years, Occu-Professor,
D.K.M.M.Hom.Medical College,
Aurangabad,
R/o A-4, Chetna Apartment,
Chetna Nagar, Aurangabad,
3. Dr.Ashok s/o Kishanlal Kothari,
Age-47 years, Occu-Professor,
D.K.M.M.Hom.Medical College,
Aurangabad,
R/o Parimal Society, Plot No.23,
Garkheda, Aurangabad,
4. Dr.Mrs. Seema w/o Shradhanand Yangad,
Age-36 years, Occu-Asst.Professor,
D.K.M.M. Hom.Medical College,
Aurangabad,
R/o : C/P.A.Tidake,
Rajabhau Technical Institute,
First floor, City Chowk,
Aurangabad.
5. Dr.Mrs. Kavita w/o Baliram Khandare,
(Dr.Kavita d/o Amrutrao Panpatte)
Age-45 years, Occu-Asst.Professor,
D.K.M.M.Hom.Medical College,
Aurangabad,
R/o Block No.H-6, Siyan Nagar,

Guru Ganesh Nagar, Aurangabad.

– PETITIONERS

VERSUS

1. The Office Secretary,
Prevesh Niyantran Samiti,
305, 3rd floor, Government Polytechnic
Building, 49, Kherwadi,
Ali Yavar Jung Marg,
Bandra East, Mumbai – 400 051.

2. The Secretary,
Association of Managements of Homeopathic
Medical Colleges of Maharashtra
Mezzanine Floor,
75, Mint Road, Fort,
Mumbai – 400 001.

– RESPONDENTS

(CORAM : RAVINDRA V. GHUGE AND
SUNIL K. KOTWAL, J.J.)

DATE : 27/11/2017

ORAL JUDGMENT : (Per Ravindra V.Ghuge, J.)

1. None for the petitioners.
2. By this petition, the petitioners have prayed for the declaration of their results of the examination conducted for admission to the P.G. Course in Homeopathy M.D. (Hom.) External for the year 2008-2009, which was held on 12/10/2008.
3. We have perused the order dated 27/11/2008 passed by this

Court. Interim relief was granted in terms of prayer clause "D" and "E", which read as under :-

"D. By issuance of writ of mandamus, order or direction in the like nature of writ, the respondent No.1 and 2 may kindly be directed to complete the admission programme, which was already declared by them.

E. Pending hearing and final disposal of this writ petition the respondent No.1 and 2 may kindly be directed to declare the results of the petitioners of APGH-CET (Ext.) 2008 for admission to the Post Graduate Course in Homeopathy M.D. (Hom.) External for the year 2008-2009, which was held on 12.10.2008 with immediate effect."

4. While granting ad-interim relief, by order dated 27/11/2008, this Court had modified the admission programme as it could not be completed in accordance with the old time table. Respondent Nos. 1 and 2 were directed to reschedule the admission programme and complete the same as early as possible. It was further directed that the admissions may be carried out by respondent No.2 in co-operation with the Maharashtra University of Health Sciences by rescheduling the admission programme.

5. For the sake of clarity, the relevant paragraph Nos. 3 to 6 of our order dated 27/11/2008 are reproduced as under :

"3. We are informed by Advocates for petitioners and respondent No.2 that admission process in other States has proceeded in accordance with the time table and only students in Maharashtra are at sufferance due to telephonic directions by respondent No.1.

4. In the circumstances, rule.

5. Ad-interim relief in terms of prayer clauses D and E with a modification that the admission programme now cannot be completed in accordance with old time table, but respondent Nos. 1 and 2 may re-schedule the admission programme and complete the same as early as possible.

6. Admissions may be carried out by respondent No.2 in cooperation with Maharashtra University of Health Sciences, by re-scheduling the admission programme."

6. We, therefore, find that the prayers put forth by the petitioners have already been accepted by the ad-interim order of this Court. The purpose for which this petition was filed has therefore been achieved.

7. Considering the above, this petition is disposed of. Rule is discharged.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)