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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13701 OF 2017

Kalyani Sanjay Joshi

...Petitioner

VS

The State of Maharashtra & Ors.

...Respondents

.....

Mr A.V.Anturkar Sr. Advocate I/b A.M.Udane for the Petitioner

Mr C.P.Yadav, AGP for the Respondent/State.

Mr Ganesh Gole Adv. For Respondent MCI

Mr R.V.Govilkar with Ms S N Khan and Kunal Nawale for
Respondent No.3 with Mr Mihir R. Govilkar

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CORAM : **B.R.GAVAI &
B.P.COLABAWALLA, JJ.
DECEMBER 15, 2017.**

P.C.:

The Petitioner has approached this Court in the peculiar facts. It is the contention of the Petitioner that the Petitioner was initially admitted in Navodaya Medical College, Navodaya Nagar, Raichur (Karnataka). She, however contends that while she was residing in the Hostel attached to the said College an unfortunate incident took place due to which her Patella Alto (left side) with recurrent dislocations and wasting of Vastus Medialis Muscle has been fractured and as such Raichur

which is the place where Navodaya Medical College is situated is not suitable for her to continue her study inasmuch as the treatment for her medical illness is not available at that place. The Petitioner further contends that the Petitioner has already obtained 'No Objection Certificate' from the College where she was admitted. The University Health Science of Karnataka as well as the Directorate of Medical Education, Karnataka have consented for her migration in another medical college. It is further contended that the Petitioner has also obtained the 'no objection' from B.J.Medical College, Pune wherein the Petitioner intends her migration.

2 It is the submission of the Petitioner that two 'no objections' are required, one from the Maharashtra University of Health Sciences, Nashik and other one from the Medical Council of India since the migration is from one college to another college in another state where the candidate was admitted. It is submitted that since the last date for admission is 22nd December, 2017, it is necessary that these authorities be directed to consider and decide the application of the Petitioner within a time frame.

3 In the peculiar facts and circumstances of this case,
we are inclined to pass the following order.

O R D E R

- (I) Respondent No.3 shall consider the application of the Petitioner for grant of 'no objection' prior to 18th December, 2017;

- (ii) Respondent No.4 is directed to consider the application of the Petitioner for grant of 'no objection' in accordance with the relevant regulations and other provisions of law concerning the admission on or before 5.00 p.m. of 21st December, 2017.

4 The Writ Petition is disposed of accordingly with no order as to costs.

5 The parties to act on the authenticated copy of this order.

(B. P. COLABAWALLA, J.)

(B.R.GAVAI J.)