

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO. 238 OF 2016

IN

WRIT PETITION NO. 1077 OF 2014

Kunal Kulkarni & ors.

..Applicants.

In the matter between

Phinoj K. Abraham & ors.

..Petitioners.

Vs.

Union of India and ors.

..Respondents

Mr. Sandeep Waghmare, for the Applicants/Petitioners.

Dr. G.R. Sharma a/w. Ms. S.I. Shah, for the Respondent Nos. 1 to 3.

CORAM : R. M. SAVANT &

SMT.SADHANA S. JADHAV,JJ

DATE : 29th JUNE, 2017

P.C.

1 The above Chamber Summons has been filed to implead the Applicants as Petitioners to the above Petition, as the persons on whose behalf the Petition was filed have completed their post graduation. The issue which arises in the above Petition is the entitlement of the post graduation students to the payment of stipend. There are already two orders passed by two Division Benches of this Court directing the Respondents to take a decision as regards the payment of stipend to the Post Graduation students.

2 The learned Counsel for appearing on behalf of the Respondent No. 1 to 3 Dr. Sharma states that having regard to the orders passed by the two Division Benches of this Court, stipend is being paid to some of the post graduation students i.e. 14 Petitioners. The learned Counsel further states that a decision has now been taken that the post graduation students of the All India Institute of Physical Medicine and Rehabilitation, Mumbai, who are pursuing the three years Post Graduation course, would not be entitled to the stipend. The copy of the said decision may be furnished to the Learned Counsel for the Petitioner within two weeks from the date.

3 As indicated above, the above Chamber Summons has been filed so as to implead the Applicants as the Petitioners as the original Petitioners have completed their post graduation and it is the Applicants who are now pursuing their post graduation.

4 Having regard to the issue which has been raised in the above Petition, we deem it appropriate to allow the Chamber Summons and make the same absolute in terms of prayer clause (a). The Chamber Summons is accordingly allowed and made absolute in terms of prayer clause (a).

5 On the order being furnished by the Respondents to the learned Counsel for the Petitioners, the Petitioners would be entitled to amend the Writ Petition to assail the said order. For the present, adjourned to 27/7/2017.

[SMT.SADHANA S. JADHAV,J]

[R.M.SAVANT, J]