

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

WRIT PETITION NO. 6172 OF 2018

Maharashtra Institute of Medical
Science & Research, Medical College
& Hospital Vishwanthpuram, Ambejogai Road,
Latur Trought Its Chief Administrative Officer
Sachin Vishwanath Munde Petitioner

Versus

Union of India
Through Secretary for
Ministry of Health and Family Welfare
Nirman Bhavan, Delhi and others ... Respondents

Mr.V.D.Hon, Sr. Counsel i/b Mr.P.V.Barde, Advocate for the
petitioner

Mr.S.B. Deshpande, A.S.G. for the respondent No.1

Mr.S.K. Kadam, Advocate for respondent No.2

**CORAM : PRASANNA B. VARALE
& S.M.GAVHANE, JJ.**

DATED : 13.07.2018

P.C. :-

. Mr. V.D.Hon, learned Sr. counsel i/b Mr.P.V. Barde, learned counsel invited our attention to the order passed by the Hon'ble Apex Court dated 09.07.2018 in Writ Petition No. 662 of 2018 filed by Mata Gujri Memorial Medical College Vs. Union of India & Anr. Our attention was invited to certain part of the order in which reference is made of petitioner's college and the order reads thus:

“We are also informed that there are five other colleges who are similarly situated to the Petitioner-Colleges in Writ Petition (C) No.662 of 2018 and 735 of 2018 which are as follows:

1) St. John's Medical College, Bangalore.

- 2) Sree Gobind Singh Tricentenary Medical College Hospital & Research Institute, Gurgaon.
- 3) Maharashtra Institute of Medical Sciences and Research, Latur.
- 4) Maharashtra Institute of Medical Sciences and Research, Talegaon, Dabhade, Pune.
- 5) Sree Balaji Medical College & Hospital, Chennai.

We direct the Respondent-Union of India to examine whether the five Colleges mentioned above are similarly situated to the Petitioners in Writ Petition No.662 of 2018 and 735 of 2018 and to extend the benefit of enhanced intake to them also.

We make it clear that the directions given to the Union of India above are in the peculiar facts and circumstances of this case and shall not be treated as a precedent."

2. In view of the order of the Hon'ble Apex Court the grievance of the petitioner is taken care of by the Hon'ble Apex Court and the Union of India is directed to examine the case of the petitioner college and to extend the benefit of enhanced intake to the petitioner institute also. We further make it clear that in view of direction of the Hon'ble Apex Court to the Union of India to extend the benefit of enhanced intake to the petitioner college, the State Government also in turn to take necessary steps so as to admit the eligible students in the petitioners college.

3. The petition is accordingly disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]