

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10426 OF 2018

Dr.Vijay Majahan .. Petitioner
Versus
Dr.D.Y.Patil University & Ors .. Respondents

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Mr. Nitesh V. Bhutekar for the petitioner.
Mr.M.M. Goswami for respondent no.1.
Mr.Ganesh Gole for respondent no.4.

**CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 19th DECEMBER, 2018

P.C:-

1 After this Writ Petition was argued for some time and a copy of the e-mail communication which Shri Gole has placed on our record, it is evident that the relief in terms of prayer clause (a) cannot be granted. The course of M.Ch. (Neuro Surgery) undergone by the petitioner in the respondent no.1 University stated to be a deemed University is not a recognized qualification in terms of the Schedule to the Indian Medical Council Act, 1956.

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2 Therefore, the respondent no.4 has not recognized it even if the petitioner claims to have undergone equivalent course in Russia.

3 No writ therefore, can be issued to respondent nos.1 and 2 to declare the result or regularize his appearance for the course.

3 On such position being brought to the notice of Shri Bhutekar, he sought instructions from the petitioner who is present in the Court. On his instructions, Mr.Bhutekar seeks leave to withdraw the writ petition with liberty to approach fourth respondent - Medical Council of India and the Union of India, Ministry of Health and Family Welfare so that his qualification can be inserted in the Schedule to the above Act. Shri Bhutekar also says that liberty be granted to initiate and adopt appropriate proceedings against the respondent nos.1 and 2.

4 In view thereof, this writ petition is withdrawn with liberty as prayed for.

5 A copy of the e-mail communication addressed to Shri Gole is taken on record and marked as “X” for identification.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)