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

WRIT PETITION NO.1601 OF 2017

Vinod Kumar Sharma	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

Mr. Satish J. Agarwal, Advocate for the Petitioner.
Ms. Jyoti Chavan, AGP for Respondent Nos.1 and 2.
Mr. Ganesh K. Gole, Advocate for Respondent No.3.

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

DATE: 1st FEBRUARY, 2018

P.C.:-

- 1] Petition has been circulated.

- 2] Petitioner has sought a writ of mandamus, directing Respondents to allow transfer of students from Private Medical Colleges to the Government Medical Colleges without obtaining No Objection Certificate from the existing Colleges.

- 3] Rules pertaining to the transfer of students from one Medical College to another Medical College have been framed by Medical Council of India as well as State of Maharashtra. Rules framed by Medical Council of India as well as State of Maharashtra specifically

provide that prior to seeking permission for transfer from one Medical College to another Medical College, prior approval of various authorities, including the existing College, University, Director of Medical Education & Research, has to be obtained before final decision being taken by Medical Council of India.

4] Not only that, the Rules framed by State of Maharashtra specifically provide that transfer from Private Medical College to Government Medical College is not permissible. Validity of the said Rules is not under challenge in the present Petition. Unless the Rules are found to be not valid in law, the relief, as claimed in the Petition, cannot be granted.

5] Petition is therefore dismissed. Rule stands discharged.

(B. P. COLABAWALLA, J.)

(B. R. GAVAI, J.)