

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.55 OF 2012

Federation of All Minority Educational
Organizations (FAME),
through its Zonal Chairman
Dr. Abdul Hameed s/o Abdul Kareem,
Age : 57 years, Occu. Principal of
Vidyalankar Junior College, Aurangabad
and President of Vidyalankar Educational
and Welfare Society, Aurangabad

PETITIONER

VERSUS

The Union of India & Ors.

RESPONDENTS

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Mr R.S. Deshmukh, Advocate for the petitioner
Mr. Sanjeev B. Deshpande, Assistant Solicitor General for respondent nos.1
to 4

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**CORAM: PRADEEP NANDRAJOG, CJ &
R.G. AVACHAT, J.**

DATE : 26.09.2019

PER COURT :

1] The Public Interest Litigation was filed as a sequel to perennial
litigation ensuing in different High Courts as and when admissions were

given to students to undergo M.B.B.S. courses and M.D. courses. On 18th September, 2009 the Supreme Court directed a single entrance examination to be conducted and based on the marks admissions in undergraduate and post graduate medical courses to be given. This led M.C.I. to issue Regulations to conduct a Common Entrance Examination and the syllabus of CBSE prepared by NCERT was notified the area of knowledge on which students taking NEET examination were to be tested. The petition highlights that the syllabus prescribed by NCERT in comparison to the syllabus of State Board in Maharashtra differs by 40% to 75% in different disciplines and highlights that in the NEET-12, students from Maharashtra would suffer and thus, direction sought is that in the ensuing examination, State of Maharashtra be exempted from NEET examination, meaning thereby, for medical colleges in the State of Maharashtra, students should be subjected to a Common Entrance Examination to be conducted not by M.C.I. and/or the authority nominated by M.C.I. or the authority nominated by the Supreme Court.

2] Suffice it to say that with passage of time, the issue has become academic. Most States have adopted the curriculum prescribed by NCERT

and should a grievance still subsists a fresh petition could be filed.

3] Thus, we see no merit in Public Interest Litigation. We terminate the proceedings in the Public Interest Litigation. Notice is discharged.

4] No costs.

(R.G. AVACHAT, J.)

CHIEF JUSTICE

amj