

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

WRIT PETITION NO.1760 OF 2019

**MISS. DARSHANA D/O. NARESH SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. B.S.Warma, Advocate for the petitioner
Mr. V.S.Badakh, AGP for the respondent/State
Mr. K.C. Sant, Advocate for respondent No.2.

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

DATED : 06.02.2019

P.C. :-

1. Heard learned counsel for the petitioner.
2. This is one of the numerous petitions presented before us seeking directions to the authority of the University and the authority of the Medical College to declare the result of the petitioner till verification of the caste certificate by Caste Scrutiny Committee, Nandurbar i.e. respondent No.4. It may not be necessary for us to refer to the facts in details. Suffice to say this is not the first occasion that the petitioner is approaching this court. The petitioner was before this Court in Writ Petition No.6278 of 2015 on the backdrop of a grievance that the claim of the petitioner is pending before the Committee and Committee be directed to decide the validation proceeding expeditiously. By order dated 23.06.2015 the Division Bench of this Court directed the Committee to decide the claim of the petitioner expeditiously and preferably within one year from the date of order of this Court.

3. The petitioner had to approach this Court again in year 2018 seeking directions to the University to declare result of the petitioner of 3rd year MBBS examination. The Division Bench by order dated 28.02.2018 in Writ Petition No.1892 of 2018 directed respondent No.2-University to declare result of the petitioner of 3rd year MBBS examination forthwith and permit the petitioner to appear for next examination. Again the petitioner approached this Court by filing Writ Petition No. 1889 of 2018 seeking issuance of directions to the University to declare result of Final year MBBS course and to permit petitioner to join internship. At that point of time, also the claim of the petitioner was pending before the Scrutiny Committee and failure of the petitioner to submit the decision of the Committee prevented the petitioner to prosecute her studies and internship. This Court also recorded submissions of the learned counsel for the petitioner that the petitioner is having fair chances of the validity certificate. On the backdrop of the fact that the Scrutiny Committee validated certificate in favour of the father of the petitioner and grandfather of the petitioner. Accordingly, the Division Bench directed the University-respondent No.2 to declare result of the petitioner for Final year MBBS examination forthwith and further to permit the petitioner to complete internship if permissible.

4. Sister of the petitioner had to approach this Court and by order dated 28.02.2018 in Writ Petition No. 1889 of 2018 the Division Bench of this Court directed

the University to declare result of the petitioner of final year and further directed the petitioner to permit to complete her internship if permissible.

5. Now the petitioner is also facing the same difficulties, namely, the petitioner is not permitted to prosecute her studies further on the ground of non submission of the validity certificate. As such the petitioner is before this Court with prayer clauses 'A', 'B' and 'C'.

6. Learned counsel for the petitioner made out a case accordingly the petition is allowed in terms of prayer clause 'A', 'B' and further direction that the respondent Nos.2 and 3 to allow the petitioner to prosecute her studies without insisting for the validity certificate and permit the petitioner to join the internship subject to fulfilling the other conditions.

7. With these above directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]