

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12280 OF 2018

Archana Sharad Tamhane

.. **Petitioner**

Versus

The Central Council of Homeopathy,
Through its Secretary and others

.. **Respondents**

Mr. Balaji S. Shinde h/f. Mr. V. V. Ingale,
Advocate for the Petitioner.

Mr. Santosh B. Bhosle, Advocate for Respondent
No. 1.

Mr. Sanjaykumar B. Bhosle, Advocate for Respondent
No. 2.

Mr. Sambhaji S. Wakure h/f. Mr. Mahendra B. Kolpe,
Advocate for Respondent No. 3.

CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 16th JANUARY, 2019

PER COURT :

1. The petitioner assails the letter dated 25.06.2018. The petitioner was admitted in the year 2002 – in B.H.M.S. degree course. The petitioner is refrained from completing internship on the ground that petitioner has completed 11 years from the date of joining. The same appears

to have been done on the basis of the decision taken by the Central Government in its meeting held on 16.08.2013 and that too based on the proposed amendment. The amendment that has been made has culminated under the Notification dated 14.07.2015, specifically says that the said Regulation would apply to the students admitted to B. H. M. S. degree course after commencement of academic session 2015 – 2016. The petitioner was admitted in the year – 2002, as such, the said Regulation would not apply on the basis of the proposed amendment. The petitioner has been denied the right to complete the internship. The same would not be permissible.

2. In the light of above, impugned amendment is quashed and set aside. The respondent may permit the petitioner to complete the internship, if the petitioner is otherwise eligible.

3. The petitioner would be governed by the Homeopathy (Degree Course) Regulations, 1983.

4. The respondents may consider the Homeopathy (Degree Course) Regulations, 1983 and take decision with regard to the claim of the petitioner's internship on its own merits.

5. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

marathe