

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION NO. 73 OF 2019
IN
WRIT PETITION NO.996 OF 2018

Parimal Gauns Dessai & 4 Ors.

... Applicants

Versus

Vidya Vikas Mandal,
Through its Secretary & 4 Ors.

... Respondents

Mr. D. Vernekar, Advocate for the Applicants.
Mr. Carlos Alvares Ferreira and Mr. Shane Gomes Pereira,
Advocates for the Respondent nos.2 and 3.
Mrs. A. Agni, Senior Advocate with Ms. Jaya Sawaikar,
Advocate for the Respondent no.4.

Coram:- C. V. BHADANG, J.
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 4th April, 2019

P.C.

1. Heard the learned Counsel for the parties for sometime.

Perused record.

2. We find that by an order dated 23.10.2018, this Court
had granted the following ad-interim relief in the matter :

“(i) By way of ad-interim relief, the Respondent
No.2- College shall forward the form of the
Petitioners to the Respondent No.4-Goa
University by Wednesday 24 October 2018, for
the II and III Semesters of the 3 year LL.B.
Programme which has already commenced on 4
October 2018 and 20 October 2018 respectively,
upon the Petitioners paying the examination fee

to Respondent No.2-College;

(ii) The Goa University shall issue Hall Tickets to the Petitioners for the said examination to be held in the said College on 25 October 2018 onwards, subject to further orders which may be passed by this Court on the next date and subject to the stand, if any, of the Bar Council of India;

(iii) This ad-interim relief is granted subject to condition that the Petitioners will not claim any equity whatsoever on the ground that they are permitted to appear for the said examination on the basis of this order. Undertaking to that effect of the Petitioners shall be filed on 24 October 2018;

(iv) We make it clear that if such undertaking is not filed by 24 October 2018, the ad-interim relief shall stand vacated without further reference to the Court;

(v) Needless to add that the result of the Petitioners of the said examinations shall not be declared without permission of this Court;

(vi) All concerned authorities of the aforesaid College and the University to act upon an authenticated copy of this order."

3. On a careful consideration of the rival contentions and the submissions made, we find that the applicants cannot be permitted to answer the papers of Semester IV. However, in view of the ad-interim relief granted on 23.10.2018 pertaining

to the Semester II and Semester III, we find that the application can be partly allowed, thereby permitting the applicants to answer the remaining papers of Semester II and Semester III examination. The applicants shall not claim any equity whatsoever on the basis of this order. The result of the applicants of the said examination shall not be declared without the permission of this Court.

4. This shall be subject to further orders, if any, passed by this Court.

5. Authenticated copy be issued to the parties in accordance with law.

PRITHVIRAJ K. CHAVAN, J.

C. V. BHADANG, J.

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