

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1409 OF 2019

IN

WRIT PETITION NO.10320 OF 2018

Keshav N. Gupta .. Applicant

Vs

The Principal/Superintendent of Hospital
Sai Homoeopathic Medical College &
Nityanand Hospital & Anr. .. Respondents

...

Mr. Keshav N. Gupta, Applicant-in-person.

Mr. M.V. Thorat for Respondent No.1.

Mr. Rajesh Kanojia with Mr. Deepika Prabhala i/b Res Juris for
Respondent No.2.

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 09TH SEPTEMBER, 2019.

P.C:-

1. We have heard the Applicant, who appears in person and decide the issue raised in the Application on merits rather than relegate the Applicant-Petitioner to a substantive remedy.

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2. The Applicant-Petitioner took admission to undertake the degree course in Bachelor of Homeopathic at Sai Homeopathic Medical College affiliated to the Maharashtra University of Health Science. He completed four years' study and had to undergo an internship for a period of one year so that he could be issued the internship completion certificate which in turn would have entitled him to be granted the necessary degree by the Maharashtra University of Health Science.

3. The Applicant had to undergo internship for a period of 292 days. He underwent internship for 57 days with the Sai Homeopathic Medical College & Nityanand Hospital. He desired to complete the remaining internship from Smt. Chandaben Mohanbhai Patel Homeopathic Medical College at Vile Parle. The Applicant had some issues with the Principal of Sai Homeopathic Medical College. He filed Writ Petition No.10320 of 2018. On 03rd October, 2018, noting that the Applicant's conduct was improper but accepting his unconditional apology to the Principal and the Management of the Sai Homeopathic Medical College, the Division Bench directed that Sai Homeopathic Medical College should grant him the No Objection Certificate so that he could complete the internship at the Smt. Chandaben Mohanbhai Patel Homoeopathic Medical College.

4. After completing internship for 125 days, the Applicant wanted his parent institute to issue him the necessary internship completion certificate which was obviously refused for the reason he had completed 125 plus 57 days internship i.e. 182 days. He was short by 110 days.

5. The Applicant claims that thereafter he has completed the internship.

6. This would require Smt. Chandaben Mohanbhai Patel Homeopathic Medical College to send a communication to the Sai Homeopathic Medical College. It is for the Applicant to pursue with Smt. Chandaben Mohanbhai Patel Homeopathic Medical College to forward the necessary certificate concerning tenure of his internship. In turn, Sai Homeopathic Medical College would forward the internship certificate to Maharashtra University of Health Science.

7. In view of the facts noted hereinabove we cannot issue any direction to Sai Homeopathic Medical College to issue the internship completion certificate to the Applicant as prayed for by the Applicant.

8. We have advised the Applicant to be practical and not be obstructive. We have advised him to visit the Management of Smt.

Chandaben Mohanbhai Patel Homeopathic Medical College and seek necessary certificate being issued in terms of the facts stated hereinabove.

9. The Application is disposed of.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)