

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE**

WRIT PETITION NO.4529 OF 2019

Kiran Vijay Rathod

... Petitioner

Vs

Maharashtra University of Health Sciences,
Nashik & Others

... Respondents

Mr.P.J. Thorat for the Petitioner

Mr.R.V. Govilkar with Ms.Kinjal Jani for Respondent No.1 – MUHS

Ms.Anamika Malhotra for Respondent No.3 in WP/2582/2019 and
WP/2970/2019

**CORAM: R. K. DESHPANDE &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED: MARCH 17, 2020

P.C.:

1. This Writ Petition seeks a direction to the respondent - University to permit the petitioner to appear for the 4th year B.D.S. examination, scheduled to be held in the month of June, 2019. The petitioner was not permitted to appear in the examination because the petitioner had not completed the entire course within a period of 9 years. This was on the basis of the Circular dated 5.12.2018.

**Vishwanath
S. Sherla**

2. The learned Counsel appearing for the Respondent – Health University informs us that the result of the petitioner's 4th year B.D.S. examination has already been declared and it is communicated to the College. It is not the statement before us that declaration of such result was subject to the result of this petition. In view of this position, this petition can be disposed off as having become infructuous. If the petitioner has not been communicated the result, the same be communicated to him and the College within a period of 8 days from today. We make it clear that we have not adjudicated anything on merits in respect of the validity or applicability of the Circular dated 5.12.2018.

3. Writ Petition stands disposed off accordingly.

(PRITHVIRAJ K. CHAVAN, J.)

(R. K. DESHPANDE, J.)