

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

930 WRIT PETITION NO.408 OF 2021

SHWETA DATTARAM MIRZAPUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr Jadhavar Pratap V.
AGP for Respondents State: Mr. S. R. Yadav Lonikar
Advocate for respondent No.4: Mr. K. C. Sant

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 13th January, 2021

ORDER:

1. The learned counsel submits that validation proceeding is pending. The petitioner has appeared for final year B.D.S. exam. His result is withheld only on the ground that validity certificate is not submitted. The learned counsel submits that the petitioner has to under go one year's compulsory internship before getting the degree.
2. The learned A.G.P. accepts the notice for respondent Nos. 1 and 2. Mr. Sant, the learned counsel waives notice for respondent No.4.
3. Considering the fact that validation proceeding is pending, we pass the following order:

O R D E R

- (1) The petitioner shall appear before the Scrutiny Committee on 09.02.2021.
- (2) The Committee shall endeavour to decide the validation proceeding preferably within four months from the date of appearance of the petitioner.

- (3) Respondent Nos. 3 and 4 shall not withhold the result of the petitioner of final year examination only on the ground that validity certificate is not produced. In case the petitioner is otherwise eligible, then the respondents may not refrain the petitioner from prosecuting her internship only on the ground that validation proceeding is pending.
- (4) Degree certificate shall not be issued to the petitioner unless and until the petitioner produces the validation certificate. Depending upon the judgment that would be delivered by the Committee, the respondents may take further course of action.
4. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC