

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

958 WRIT PETITION NO.1633 OF 2021

NIDHI SANJAY GORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri O. B. Boinwad
AGP for Respondents : Shri S. K. Tambe
...

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

DATE : 28th JANUARY, 2021

...

PER COURT :

1. The learned counsel submits that the petitioners have appeared for BDS final year examination. The result is withheld on the ground that validity certificate is not submitted. Respondent No. 4 -Committee is not deciding the validation proceeding. The vigilance is also not yet conducted. The learned counsel submits that this Court under order dated 03/03/2017 in Writ Petition No. 160/2017 filed by the petitioner had directed the Committee to decide the proceedings expeditiously within nine months from the date of appearance of the petitioner. More than three years have lapsed, but the claim is not decided by the Committee.
2. The learned AGP accepts notice for the respondents.

3. It is not disputed that after the petitioner completes the final year of BDS, the petitioner has to undergo to internship.
4. In light of the above, we pass the following order.
5. The Committee shall conclude the validation proceedings within four months from the date, the petitioner appears before the Committee.
6. The petitioner shall appear before the Committee on 16/02/2021. In case, the Committee does not decide proceedings within the stipulation period of four months, then we would take a serious view of the same and the members of respondent No. 4 would make themselves liable for contempt.
7. Respondents No. 2 and 3 shall not withhold result of BDS final year examination only on the ground that validation proceeding is pending. In case the petitioner is otherwise eligible, then the respondents shall not refrain the petitioner from prosecuting her internship only on the ground that the validation proceeding is pending.
8. The respondents shall take further course of action depending upon the judgment that would be delivered by the Committee in validation proceeding.

9. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

shp/-