

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

WRIT PETITION NO.8811 OF 2017

Shraddha Avinash Gaikwad & Anr.

... Petitioners

Vs.

State of Maharashtra, Thr. Its Secretary
Tribal Development Department & Ors.

... Respondents

**WITH
CIVIL APPLICATION NO.679 OF 2018
IN
WRIT PETITION NO.8811 OF 2017**

Mr.R.K. Mendadkar a/w Mr. Tanaji Jadhav for the Petitioners/Applicants.
Mr.N.C. Walimbe, AGP for Respondents No.1 and 2.

**CORAM : R.D. DHANUKA &
ABHAY AHUJA, JJ.**

DATE : 26TH OCTOBER 2021

P.C. :

1. None appeared for Respondents No.3 and 4 when the matter was called out.

2. Stand over to 30/11/2021.

3. The Petitioners to issue fresh notice upon Respondents No.3 and 4 with a request to remain present on the next date. It shall be made

clear in the notice that if Respondents No.3 and 4 remain absent on that day, the matter would be proceeded ex-parte against them.

4. Mr. Mendadkar, learned counsel for the Petitioners invited our attention to the interim order dated 2nd August, 2017 passed by this Court granting the ad-interim reliefs in terms of prayer clauses (d) and (e). He also tenders a copy of e-mail showing that the result of BDS-3 for Winter-2020 has been declared, however, the result insofar as the Petitioner No.1 is concerned, is withheld. He submits that the withholding of the result by Respondent No.4 is in violation of the interim order passed by this Court on 2nd August, 2017. He submits that the result withheld by Respondent No.4 is not for the final year. The Petitioner No.1 is yet to complete the final year course and to appear for the examination. Statement made by the learned counsel is accepted.

5. Respondent No.4 is accordingly directed to declare the results of Petitioner No.1 for BDS-3, which is withheld and to comply with the ad-interim order passed by this Court, within one week from the date of communication of this order. It is made clear that this order passed by this Court is in furtherance of the ad-interim order passed by this Court. The

ad-interim order passed by this Court and this order is subject to the final outcome of the Petition.

6. Parties to act on the authenticated copy of this order.

7. In view of the result of Petitioner No.1 declared for BDS-1 by Respondent No.4, the Civil Application does not survive and hence disposed of accordingly.

(ABHAY AHUJA, J.)

(R.D. DHANUKA, J.)