

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2093 OF 2021
IN
WRIT PETITION NO.8128 OF 2015
WITH
WRIT PETITION NO.8130 OF 2015
IN
INTERIM APPLICATION NO.2097 OF 2021**

Association of Management of Homeopathic
Medical Colleges of Maharashtra

Through Dr. D. Bagal & Anr.

...Applicants

V/s.

The State of Maharashtra & Ors.

...Respondents

Ms. Pooja V. Thorat a/w Mr. A. B. Seth i/by. Mr. M. V. Thorat for Applicants
in IA/2093/2021, IA/2097/2021 & 2096/2021.

Mr. R. V. Govilkar, Advocate for Respondent No.4 in IA/2093/2021,
IA/2097/2021 & 2096/2021.

Mr. Abhijit Patil a/w Mr. V. D. Patil for Respondent No.3 in IA/2097/2021.

Ms. Kavita N. Solunke, AGP & Mr. A. A. Alaspurkar, AGP for Respondent
(State) in IA/2093/2021, IA/2097/2021 & 2096/2021.

Mr. R. V. Rodrigues a/w Mr. D. P. Singh for Respondent No.6 (UOI).

Mr. Sameer P. Khedekar, Advocate for Respondent No.3 in IA/839/2019.

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

DATE : 16th SEPTEMBER, 2021.

PC. :

. The Applicants are seeking an Order and declaration that result of
two students, whose names are mentioned in prayer clause (a) shall be
declared and shall allow them to continue their course.

2. As the facts of this Interim Application are identical to the facts
of Interim Application No.2097 of 2021, for the reasons recorded in the

Interim Application No. 2097 of 2021, we allow prayer clauses (a) and (b) of this Interim Application. It is made clear that the students would not claim the equity. If the students are declared fail in the fourth year B.H.M.S. already held they shall be allowed to re-appear in the re-examination proposed to be held by the Respondent No.4-University and thereafter to continue to their course without prejudice to the rights and contentions of the parties subject to the out come of the Writ Petition No.8128 of 2015.

3. Interim Application is allowed in the aforesaid terms.
4. All the parties to act on the authenticated copy of this order.

(ABHAY AHUJA, J.)

(R. D. DHANUKA, J.)

TAUSEEF
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TAUSEEF LAIQUEE
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Date: 2021.09.18
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