

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

**INTERIM APPLICATION NO.2526 OF 2021
IN
WRIT PETITION NO.8129 OF 2015**

Association of Management of Homeopathic
Medical College of Maharashtra & Anr. ...Applicants
V/s.
The State of Maharashtra & Ors. ...Respondents

Mr. M. V. Thorat a/w Mr. Amar Bodke for Applicants.
Ms. Kavita N. Solunke, AGP for Respondent Nos.1 and 2.
Mr. R. A. Rodrigues, Spl. Counsel a/w Mr. D. P. Singh for Respondent No.6.
Mr. R. V. Govilkar, Advocate for Respondent No.4.
Mr. Amol B. Jagtap i/by Mr. Abhijeet A. Desai for Respondent No.5.

**CORAM : R. D. DHANUKA, AND
ABHAY AHUJA, JJ.
DATE : 29th SEPTEMBER, 2021.
(Through Video Conferencing)**

P.C. :

. By this Interim Application Original Petitioners have prayed for an order or direction against the Respondent No.4-University to declare the result of four students, whose names are mentioned in prayer clause (a) of the Interim Application No.2526 of 2021.

2. Mr. Thorat, learned counsel for the Applicants on instructions states that the results of these three students namely Sharma Ms. Yogita Rajkumar, Mr. Shimpi Sagar Ravindra pertaining to 2nd year BHMS course

and Mr. Wagh Harshal Gopal of 3rd year BHMS course has been only declared by the University. The results of Mr. Pal Sachin Girandar Singh, however, it has been declared till date. He invited our attention to the Order dated 16th September 2021 in this Writ Petition No.2096 of 2021 granting interim relief in these similar facts. He submits that the similar order be passed in this Petition.

3. Mr. Govilkar, learned counsel for the 4 - University has distinguished the Order passed by this Court dated 16th September 2021 in Interim Application No.2096 of 2021.

4. A perusal of the Order dated 16th September 2021 passed by this Court indicates that this Court has already expedited the hearing of the Writ Petition and has provided various safeguards while granting interim relief after considering the similar orders passed in the earlier Interim Applications. In our view, similar interim relief can be granted in this Interim Application also insofar as the said candidate is concerned.

5. We accordingly direct the Respondent No.4 to declare the result of the said Mr. Pal Sachin Girandar Singh for 2nd year BHMS course within one week from today, without prejudice to the rights and contentions of the parties. It is made clear that Mr. Pal Sachin Girandar Singh shall not claim equity. This Order is subject to further order as may be passed by

this Court in the Writ Petition.

6. Mr. Thorat, learned counsel for the Applicants makes a similar statement in this Interim Application also that his client will not claim any equity and this Order will be subject to the final Order that would be passed by this Court in the Writ Petition. It is made clear that if the said student fails in the examination which result is directed to be declared he will be allowed to appear for re-examination slated to be held on 12th October 2021 or any time thereafter. It is made clear that the re-examination of the said student would be subject to the same directions issued in earlier paragraphs of this Order. It is made clear that the said student is allowed to continue the course without claiming any equity.

7. Interim Application is disposed of in the aforesaid terms. There shall be no order as to costs.

8. All the parties to act on the authenticated copy of this order.

(ABHAY AHUJA, J.)

(R. D. DHANUKA, J.)