

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 10246 OF 2022
AND
CIVIL APPLICATION NO.14502 OF 2022

SUDHAKAR WAMANRAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for Applicant : Mr. Nagargoje Ankush N.
AGP for Respondent Nos. 1 to 4: Mrs. Rashmi P. Gour
Advocate for Respondent No.5 : Mr. K.A. Shinde h/f Mr. M.D.
Narwadkar
Advocate for Respondent No.6 : Mr. S.K. Kadam
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th OCTOBER, 2022.**

PER COURT :-

1. We have heard the learned advocate for the petitioner/applicant. We have already passed a detailed order on 03.10.2022.

2. The learned advocate for the petitioner, on instructions, submits that the petitioner would not press the petition as well as the civil application and would only make a request that respondent No.3, the Director of Health Services at Mumbai, should consider the representation of the petitioner dated 30.09.2022 pointing out that he is wrongly included as a candidate amongst the diploma holders. He

is an 'in service' candidate, who is purely M.B.B.S. degree holder and having no diploma qualification. Since this is a fact situation, the M.B.B.S. candidate can be considered for an 'in service' post graduate admission as per the preferences, which are in tune with the subjects of the M.B.B.S. course.

3. In view of the above, we call upon respondent No.3 to take a decision on the application dated 30.09.2022, on its own merits, by verifying the record as well as whether the petitioner is an in service diploma holder candidate or an in service M.B.B.S. candidate. Let such decision be arrived at till 12.00 noon on 17.10.2022.

4. Considering the above statement of the petitioner, the writ petition as well as the civil application stand disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

rlj/