

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7444 OF 2021

Janhavi Bhanudas Ukarande And Ors. .. Petitioners
v/s.

The State of Maharashtra Through Health
And Medical Dept. And Ors. .. Respondents

....
Dr. Uday P. Warunjikar, for the Petitioners.

Mr. S.B. Kalel, AGP, for State.

Mr. Mihir Govilkar, a/w. Mr. Sachindra B. Shetye, Ms. Priyanka Chawan and Ms. Sarika Shetye, i/b. R.V. Govilkar, for Respondent No.2-MUHS.

Mr. Ganesh Gole, i/b. Ritesh Ratnam, for Respondent No.3.

**CORAM: NITIN JAMDAR &
AMIT BORKAR, JJ.**

DATE : 1 FEBRUARY 2022.
(Through Video Conferencing)

P.C:-

Heard learned Counsel for the parties.

2. The Petitioners have prayed for the following relief :

- (a) *Be pleased to issue writ of mandamus or writ in the nature of mandamus directing Respondent No.2 to conduct ATKT exam of the Petitioners within such time as this Hon'ble Court may deem fit and proper.*

3. It is not discernible from the arguments advanced as to what is the legal right of the Petitioners or the legal duty cast upon the Respondents for issuing such a mandamus. The argument of the Petitioners is that in view of the unprecedented situation brought about by the pandemic proactive steps on behalf of the Respondents to overcome the situation are expected. This is a matter for the Respondents, who are academic authorities, to consider.

4. After taking into consideration all aspects, we are of the opinion that only relief that can be granted is that the petition filed by the Petitioners be sent to Respondent No.3 to be considered as a representation. If the Petitioners want to place any other additional material on record for consideration of Respondent No.3, the same shall be forwarded to Respondent No.3 within two days from today. Respondent No.3 will look into the same and take an appropriate decision and communicate the same to the Petitioners. The decision, preferably, without setting a rigid time limit, be taken within period of two weeks thereafter and informed to any one of the Petitioners on behalf of the others.

5. Writ petition is accordingly disposed of.

(AMIT BORKAR J.)

(NITIN JAMDAR, J.)