

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (W) NO. 2728/2022 IN WRIT PETITION NO. 4010/2022

(ROHIT MOHANRAO HAMBARDE **VERSUS** THE CHAIRMAN ADMINISTRATION REGULATING
 AUTHORITY & FORMER CHIEF SECRETARY & OTHERS)

*Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.*

Court's or Judge's order

Shri A.R. Wagh, counsel for the applicant/petitioner.
 Shri N.A. Gaikwad, counsel for the R-1 & 2.
 Shri J.B. Jaiswal, counsel for the R-3 & 4.
 Ms N.P. Mehta, Assistant Government Pleader for the R-5.

CORAM : A. S. CHANDURKAR AND ANIL L. PANSARE, JJ.

DATE : DECEMBER 07, 2022.

By this application the applicant prays that he be permitted to appear in the second year examination of the B.D.S. course for the Academic Year 2022-23 by directing the respondent nos.3 and 4 to accept the petitioner's examination form. The petitioner's result for the first year B.D.S. course was declared pursuant to the order dated 21.10.2022.

The learned counsel for the respondent nos.3 and 4 has invited our attention to Clauses 38(2) and 40 of Ordinance No.1 of 2014. As per said provision, it is clear that when the result of the candidate is declared by the University pursuant to an order passed by the Court the academic term of such candidate would start from the date of declaration of such result and not from the date of declaration of result of the regular batch. Since the result of the petitioner has been declared pursuant to the interim order dated 21.10.2022, his academic term is yet to be completed. Hence the direction sought in the civil application cannot be granted.

The civil application is therefore rejected.

(ANIL L. PANSARE, J.)

(A. S. CHANDURKAR, J.)

APTE

Signed By: Digitally signed
 by ROHIT DATTATRAYA
 APTE
 Signing Date: 07.12.2022 18:10