

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO.4650 OF 2023

SHRAVANI VITTHAL GONEWAD
VERSUS
THE STATE OF MAHARASHTRA AND AND OTHERS

.....
Mr. C.R. Thorat, Advocate for the Petitioner
Mr.S.K. Tambe, AGP for the Respondent/State.
Mr.S.P. Brahme, Advocate for Respondent No.2.

.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 26th APRIL, 2023.**

PER COURT :-

1. The Petitioner has put forth prayer clauses "A" and "B" as under :-

"A. By issuing Writ of Mandamus or any other appropriate writ or direction in the like nature, the respondent No.3 i.e. Vilasrao Deshmukh Government Institute of Medical Sciences, Latur, may kindly be directed to issue the Internship Completion Certificate in favour of the petitioner for M.B.B.S. course.

B. By issuing Writ of Mandamus or any other appropriate writ or direction in the like nature, the respondent No.4 i.e. Scheduled Tribe Certificate Scrutiny Committee, Kinwat Headquarter Aurangabad, may kindly be directed to decide the Tribe Claim of the petitioner belonging to Mannervarlu Scheduled Tribe within stipulated period from the date of order of this Hon'ble High Court."

2. The learned A.G.P. is equipped with the record. The Petitioner is student of the M.B.B.S. course. Her claim of belonging

to Mannervarlu Scheduled Tribe was tendered on 01.07.2014 for validation. On the strength of the pendency of the claim, she secured admission to the M.B.B.S. course with Respondent No.3.

3. In 2020, the Petitioner filed Writ Petition No.3448 of 2020 seeking orders when she was in the 3rd year of the M.B.B.S. course. This Court [Coram : S.V. Gangapurwala (as His Lordship then was) & Shrikant D. Kulkarni, JJ] passed an order on 2nd March, 2020 directing the Petitioner to appear before the Committee on 12th March, 2020. It is undisputed that the Petitioner remained absent and did not cooperate. Thereafter, the Petitioner again filed Writ Petition No.6351/2021. By an order dated 07.05.2021, this Court [Coram : S.V. Gangapurwala (as His Lordship then was) & Shrikant D. Kulkarni, JJ] passed an order on 07.05.2021, again directing the Petitioner to appear before the Committee after 40 days on 17.06.2021. Yet, the Petitioner remained absent. Even an application for adjournment was not filed.

4. The learned A.G.P. submits on the basis of the record that even now the Petitioner is not cooperating. He, therefore, submits that this is a peculiar case in which costs will have to be imposed on the Petitioner for repeatedly disobeying the orders of this Court and trying to gain benefits by filing Petition after Petition for seeking

orders.

5. Considering the above, since the Petitioner herself can be blamed for the situation which she has created by disobeying the orders of this Court, repeatedly, **this petition is dismissed.**

6. In so far as the costs are concerned, since the Petitioner is a student, we are not imposing costs.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

sga/