

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.11991 OF 2023

Seeta Gyanoba Bachewad ... PETITIONER

VERSUS

1. The State Of Maharashtra
through its Secretary
Medical Education and Drugs Department
Mantralaya, Mumbai
2. The Dean
Rajarshi Chhatrapati Shahu Maharaj
Government Medical College Kolhapur,
Dist. Kolhapur
3. The Director,
Directorate of Medical Education
and Research, Mumbai
Second Floor, Govt. Dental
College Building, JJ Hospital Area,
Fort, Mumbai

... **RESPONDENTS**

...

Advocate for Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondents: Mr. S.G. Sangale

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 27.09.2023

PER COURT :

Heard the learned advocate for the petitioner and the learned AGP finally with consent.

2. The petitioner was admitted in the respondent No.2 – Government Medical College for MBBS Course against reserved category seat. Since the Scrutiny Committee invalidated her claim, by the impugned order dated 07.09.2022 her admission was cancelled and she was called

upon to pay the penalty and the tuition fees.

3. The learned advocate for the petitioner submits that subsequently the petitioner had challenged the order of the Scrutiny Committee in Writ Petition No.3904/2022 and this Court by the order dated 11.07.2023 had allowed the writ petition and *inter alia* directed the certificate of validity to be issued to her which was accordingly issued by the Scrutiny Committee. He would submit that simultaneously, a separate civil application was also filed bearing Application No.4412/2023 for the ancillary relief of setting aside the order of cancelling the admission. However, the petitioner was under impression that grant of certificate of validity would serve the purpose and the application was disposed of without effective order. However, the college and the authorities are not ready to take appropriate steps in spite of her furnishing a certificate of validity.

4. Since the petitioner has subsequently been found to be entitled to have a certificate of validity and possesses it, we allow the writ petition, quash and set aside the order dated 07.09.2022 and direct the respondent Nos.2 and 3 to allow her to complete the internship.

5. Needless to state that invalidation not being in existence the authorities shall not create any obstacle in her completing the internship and getting the documents and certificates.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)