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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 12650 OF 2018

The State of Maharashtra and Ors.

... Petitioners

V/s.

Dr. Somnath Santram Khedkar

... Respondent

Mr. N.K. Rajpurohit, AGP for the Petitioner - State

Mr. Sanjay Kshirsagar for the Respondent

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 14 DECEMBER 2023

P.C. :-

On 7 November 2023, the following order came to be passed :-

“The Petitioner challenged the order dated 28 April 2014. The Petition is filed on 16 November 2017 i.e. three and half years after the impugned order. All that is stated in paragraph 17 is that the certified copy was received on 6 May 2014, “hence the Petitioners submit that if there is delay in filing the present Writ Petition, the same is due to administrative exigencies”. Thereafter, it is stated that the matter was being pursued with the Authorities. Obviously, the explanation of delay

is not satisfactory. To make the matter worse, the Petition is filed and is kept pending without seeking any interim order. The order of the Tribunal therefore is not complied with for last ten years. There is no interim order.

2. Therefore, in these circumstances, we direct the Director of Medical Education and Research to file an affidavit as to why the Petition should be entertained presuming that the State is not interested in prosecuting the Petition.

3. Stand over to 7 December 2023.”

2. The learned AGP tenders an affidavit sworn by the Director of Medical Education and Research, Mumbai and stated that the Government Resolution is issued on 11 December 2023 in favour of the Petitioner in compliance with the order of the Tribunal. This compliance as the Government Resolution reads and as pointed out by the learned Counsel is not the subject to the outcome of this Petition. Therefore, the impugned order having been complied with nothing remains in this challenge.

3. The Writ Petition is accordingly disposed of.

4. If as a consequence of the Government Resolution dated 11 December 2023, any procedural compliance is necessary, the same be completed within a period of three months.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.