



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4626 OF 2015

Ms. Swati Shiva Pattem

Age-21, Occu-Student,

R/at Room No.19, Ground Floor,

Shriram Complex, House No.1252,

Near Rahnal Bus Stop, Village Rahnal,

Tq.Bhivandi, Dist. Thane.

.. Petitioner

Vs.

1. The State of Maharashtra

2. Director of Medical Education and Research (DMER),

Dental College and Hospital Building,

4th Floor, St.George Hospital Compound,

Mumbai – 400 001.

3. The Maharashtra University of

Health Sciences, Nashik.

4. The Dean,

K.J. Somaiya Medical College and

Research Centre, Somaiya Ayurvihar Complex,

Eastern Express Highway, Sion (E),

Mumbai – 400 002.

.. Respondents

ALONG WITH
INTERIM APPLICATION NO.14787 OF 2023
IN

WRIT PETITION NO.4626 OF 2015

Ms. Swati Shiva Pattem

.. Applicant

IN THE MATTER BETWEEN

Ms. Swati Shiva Pattem

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

- Dr. Ramdas P. Sabban a/w. Mr. Shrikant Kompelli & Ms. Arundhati Sabban, for the Petitioner/Applicant.
- Ms. Shaba N. Khan i/b. Mr. R.V. Govilkar, Senior Advocate for Respondent No.3–MUHS.
- Mr. K.K. Jadhav a/w. Mr. J.K. Jadhav, for Respondent No.4–Somaiya College.

**CORAM : SUNIL B. SHUKRE &
FIRDOSH P. POONIWALLA, JJ**

DATE : 7th SEPTEMBER, 2023

ORAL JUDGMENT (PER : SUNIL B. SHUKRE, J.)

1. Rule. Rule made returnable forthwith. By consent of learned counsel for the respective parties heard finally.

2. It is not in dispute that pursuant to interim relief granted by this Court, the petitioner has successfully completed her MBBS course. It is also not in dispute that now the petitioner has obtained caste validity certificate, copy of which has been submitted to Respondent No.4–College. Learned counsel for Respondent No.3–The Maharashtra University of Health Sciences, Nashik, however, submits that the University is yet to receive copy of the validity certificate; but as submitted by the learned counsel for the petitioner, there is a document showing that this validity certificate has also been supplied to Respondent No.3–University and this can be seen from the Communication dated 18.08.2023 addressed by the petitioner to the Director, D.M.E.R., St. George Hospital Premises, PD Melo Road, Fort, Mumbai – 400 001 and the Registrar, Maharashtra University of Health Sciences, Dindori Road, Mhasrul, Nashik – 422 004. A copy of the validity certificate has also been filed on record by the petitioner.

3. The facts narrated above would show that the petitioner has obtained caste validity certificate, which was required to be submitted by her in order to justify her admission to MBBS course on a reserved seat and now that it has been submitted to Respondent No.4-College, in our view, there should be no impediment in issuing MBBS degree certificate to the petitioner.

4. Accordingly, we direct Respondent No.3-University to issue MBBS degree certificate to the petitioner latest by **8th September, 2023 by 5.00 p.m.** The petitioner may accordingly approach Respondent No.3-University for collecting the certificate.

5. The petition is disposed of in terms of the directions given hereinabove.

6. However, it is made clear here that the directions issued in this order shall not come in the way of criminal proceedings which are already pending against the petitioner, which shall be taken to their logical end in accordance with law.

7. Rule is made absolute in the above terms. No costs.

8. Interim Application is disposed of in terms of final order.

9. All parties to act on an authenticate copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[SUNIL B. SHUKRE, J.]