

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10701 OF 2023

Dr.Ujwala N. Adate and Anr. ... Petitioners

Versus

State of Maharashtra & Ors. ... Respondents

Mr.V.M. Thorat a/w. Mr.Ameer Bodke and Mr.Kiran Singh i/b.
Mr.M.V. Thorat, Advocate for the Petitioners.

Mr.M.M. Pabale, AGP for Respondent Nos.1 to 3 and 5.

Mr.Yashdeep Deshmukh a/w. Ms.Vaidehi Pradeep & Ms.Bharti
Gerella, Advocate for Respondent No.4.

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

DATE : 30 August 2023.

P.C. :

This Petition is by the Medical Officers who are working in various Government hospitals who are desirous of post graduate seats with the NEET PG–2023 Examination from the in–service quota.

2 The State of Maharashtra has declared the quota for the Medical Officers who are working in the Government Hospitals as “In-service Quota” for the admission to Postgraduate courses. In the Government Resolution dated 19 July 2023, Clause 4.6 thereof, the

methodology for giving admission through this quota is indicated. This Clause provides that first preference should be given to those Medical Officers who have completed three years service in remote, difficult and rural areas, and thereafter the remaining Medical Officers eligible for this quota be considered for the admission.

3 This Petition is filed making a grievance that even though after following the procedure for giving preferences to the Medical Officers from remote, difficult and rural areas, there are certain seats vacant in the in-service quota which is not being given to the Petitioners in the second round even though they are eligible. The learned counsel for Respondent No.4–State Common Entrance Test Cell submits that first round is over wherein preference has been given as per Clause 4.6 to the Medical Officers from remote, difficult and rural areas, and in the second round, an option is given to them to better their choices, and after this process is over, in the third round the Petitioners would be considered for the in service quota as per the governing rules, and the procedure. The learned counsel for Respondent No.4–State Common Entrance Test Cell categorically states that in-service quota, as provided by the State of Maharashtra in various Government Resolutions will not be disturbed.

4 Therefore, it is clear that the Respondents are proceeding as per Clause 4.6 of the Government Resolution dated 19 July 2023 and the legal right of those Medical Officers eligible be considered in the in-service quota is not being affected.

5 Recording this position, we dispose of the Petition.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)