



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1297 OF 2024

Ketan s/o Sunil Sanap

.. Petitioner

Versus

1. The State of Maharashtra
Through its Deputy Secretary,
School Education and Sports Department,
Mantralaya, Mumbai-400032.
2. The State of Maharashtra,
Through its Secretary,
Higher and Technical Department,
Mantralaya Mumbai-400032.
3. The State of Maharashtra
Through its Secretary,
Finance Department,
Mantralaya, Mumbai-400032.
4. The Director,
Medical Education and Research,
Government Dental College and
Hospital Building, Sant Jorge
Hospital Compound Mumbai-001.
5. The Director of Higher Education,
Central Building3, B J Medical Road,
Agarkar Nagar, Pune-411 001,
Maharashtra.
6. The Director of Education (Planning),
Maharashtra State, 17,
Dr. Ambedkar Street, Pune 400 001,
Tq. And Dist. Pune.
7. The Divisional Deputy Director of Educational
(Higher Education) Nanded,

Division Nanded,
Near Govt. Polytechnic Area Nanded,
431602.

8. The Education Officer (Secondary),
Zilla Parishad, Latur,
Tq. And Dist. Latur.
9. The Dean Vilasrao Deshmukh,
Government Institute, Medical Science,
Civil Hospital Campus Latur,
Tq. And Dist. Latur.

.. Respondents

...
Mr. S. K. Mathpati, Advocate for the petitioner.
Mr. P. S. Patil, AGP for respondents – State.

...

**CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.**
DATE : 27 JUNE 2024

ORDER :-

Heard.

2. The inaction on the part of administration is the cause for the petitioner to approach this Court. Being a ward of a secondary teacher, he has been seeking freeship in the light of Government Resolution dated 19.08.1995. He could complete the M.B.B.S. course from the respondent No.9 Government Medical College and still his documents have been withheld in spite of having completed the course, for the only reason that no appropriate decision by the competent authority regarding his entitlement has ever been taken.

3. It is being pointed out that the respondent No.9 has already granted approval to his entitlement and even issued a certificate dated 15.02.2019 (Exhibit-B) to that effect for all the five academic years.

4. In the circumstances, if for whatever reasons, the things are not being taken further so as to take a final decision in the light of this certificate, the petitioner cannot be blamed. It would be a matter between the respondent No.5 Director of Higher Education and the respondent No.9 the Dean of the Medical College. If at all any further process was required to be undertaken for ultimately holding the petitioner entitled to the freeship and the respondent No.9 getting reimbursement, it was for them to take appropriate steps.

5. The writ petition is allowed by directing the respondent No.9 to immediately issue all the certificates and return all the documents to the petitioner on his furnishing an undertaking that in case so ordered by this Court, he would pay the fees.

6. It is made clear that independently the respondent No.9 may take further steps by approaching respondent No.5, who, we are told, is the competent authority to take a final decision.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm