

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

WRIT PETITION NO.6837 OF 2024

Samruddhi Sundeep Amberkar .. Petitioner

Vs.

Maharashtra University of Health Sciences,
Nashik and Anr. .. Respondents

Ms. Pooja V. Thorat, Advocate for the Petitioner.

Mr. Sachindra B. Shetye with Mr. Akshay S. Pansare, Advocates for Respondent No.1.

Mr. Sanjay R. Patekar, i/by Mr. V.K. Parkar, Advocates for Respondent No.2.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 13TH JUNE, 2024.

PC. :

1. The petitioner is pursuing her M.B.B.S. Course at the respondent no.2-College. She was aggrieved by the marks allotted to her in the practical examination in the subject of Obstetrics and Gynecology for the Four Year M.B.B.S. Course. In that backdrop, the present writ petition was filed.

2. By an interim order dated 30th May 2024, the respondent nos.1 and 2 were directed to conduct practical examination in Obstetrics and Gynecology for the second term of the third year M.B.B.S. examination on or before 6th June 2024. The results of the said examination were directed not to be publicly declared.

3. It is informed that pursuant to the aforesaid interim order, the petitioner appeared in the said practical examination that was conducted on 7th June 2024. The learned counsel appearing for the respondent no.1 has tendered a sealed envelope containing the result of the aforesaid examination. On perusal of the same, it indicates that the petitioner has

secured 133 marks out of 200 in the said examination. It is informed that the passing marks are 80. Photocopy of the aforesaid mark-sheet be placed on record and marked as Document "A" for identification. The learned counsel for respondent no.2 is permitted to place his affidavit on record.

4. Considering the fact that the petitioner appeared in the practical examination pursuant to the interim directions and has now cleared the said examination, it is not felt necessary to undertake further examination of the rival contentions.

5. In the peculiar facts of the present case and without treating the same as a precedent, it is directed that the marks secured by the petitioner in the practical examination conducted on 7th June 2024 be treated as marks secured by her in the second term's practical examination in the subject of Obstetrics and Gynecology. The corrected mark-sheet in that regard be issued to the petitioner. On declaration of the said result, all necessary consequences would follow.

6. It is clarified that all contentions of the respondents are kept open and the aforesaid direction has been issued in the peculiar facts of the case.

7. The Writ Petition is disposed of. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]