



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2850 OF 2025

[Vishakha d/o Rajaram Shahu .vs. State of Maharashtra and others]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri P.B. Patil, Advocate with Shri Vinay Rathi, Advocate for Petitioner.
 Shri S.B. Bissa, AGP for Respondent No.1/State.

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CORAM : PRAVIN S. PATIL, J.

DATE : 30th MAY, 2025.

1. Heard.

2. Issue notice to the respondents for final disposal, returnable on 12.06.2025.

3. Learned AGP waives service of notice for respondent no.1 - State.

4. It is the case of the petitioner that as per the amended BDS Course Regulation, 2007, the student has to clear BDS course in all the subjects within a period of 9 years, including one year internship from the date of admission. As such, the petitioner is entitled to avail 15 attempts being annual pattern of examination. The petitioner has filed the chart of the attempts which she has made for BDS course examination from Summer-2017 to 2024. From the said chart, it is clear that she has availed 14 attempts till Summer-2024. It is stated by the petitioner that she has not attempted examination of Summer-2022 due to death of her father and some other reasons. Hence, one attempt is available to the petitioner to complete her BDS examination course. It is further pointed out by the petitioner that in Academic

Session 2024-25, she has attended the college and prepared for the examination. It is further pointed out that as per the programme of examination in respect of submission of form to Phase-II examination which is scheduled from 28.06.2025, the last date of examination form at college level is 29.05.2025, however, the said date is expired, but at University level, the last date to submit the examination form is 02.06.2025 up to 5.00 PM. Hence, considering the controversy involved in the matter, it is prayed that by way of interim order, the respondents be directed to provisionally accept the examination form of the petitioner.

5. In the present case, it is clear that the period of 9 years is on the verge of elapse and the petitioner is having a last attempt to appear for the examination. Furthermore, in the Summer-2022, the petitioner did not appear in the examination, therefore, one attempt is available with the petitioner.

6. Considering the fact that the last date for submitting examination form is 02.06.2025 and petitioner will cause irreparable loss, if examination form is not accepted, hence, considering the peculiar facts of the matter, I am inclined to grant interim relief to the petitioner in terms of prayer clause (ii).

7. The parties to act on authenticated copy of this order.

(PRAVIN S. PATIL, J.)