

Rekha Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 17201 OF 2025

Mahendra Vithalrao Kendre ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

Mr. Tanmay A. Deshmukh, for the Petitioner.

CORAM: SUMAN SHYAM &
ADVAIT M. SETHNA, JJ.

DATED: 10th JUNE 2026.

PC:-

1. By filing this Writ Petition, the Petitioner is primarily assailing the imposition of upper age limit of 45 years for the in-service Medical Officers to appear for NEET-PG examination and also the decision to deny the benefit of in-service reservation to the P. G. Diploma holders for pursuing Degree Courses. The reliefs prayed for by the Writ Petitioner have been declined by the learned Maharashtra Administrative Tribunal ('MAT'), Mumbai Bench. Aggrieved thereby, this Writ Petition has been filed. However, the fact remains that during the pendency of the Writ Petition, the admission process has already been completed and all the seats have also been filled-up.

2. There is no interim order passed by this Court protecting the interest of the Petitioner in this case. In such circumstances, we

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are of the opinion regardless of the merit of the Petitioner's contention, no relief can be granted to him at this point of time in the facts and circumstances of the present case.

3. If that be so, in our opinion, going into the question of the validity of fixation of upper age limit of 45 years and the issue of in-service reservation would be matters of mere academic interest in this case, which is best avoided in a writ petition.

4. Situated thus, we dispose of this Writ Petition by keeping the legal issues open, to be agitated in an appropriate proceeding, in accordance with law, as and when the occasion so arises.

(ADVAIT M. SETHNA, J.)

(SUMAN SHYAM, J.)