

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1067 OF 2026
IN
WRIT PETITION NO. 12851 OF 2017**

Ahmed Abdul Kadir Gujrati

...Applicant

In the matter between

Miss. Shaikh Saba Riyaz Ahmed & Ors.

...Petitioners

Versus

Maharashtra University of Health Sciences,
Nashik & Ors.

...Respondents

Mr. Sidheshwar Biradar a/w Anuj V. Gaikar for the Applicant.
Mr. P. N. Dabholkar a/w Prerna Shukla for Respondent No.1.
Smt. Pooja Joshi Deshpande for Respondent No.4.
Mr. Sandeep Waghmare for Respondent No.5.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 09 APRIL, 2026

PC.:-

1. By this Interim Application, the Applicant/Petitioner No.6 has sought direction to Respondent No.5 to issue final Internship Completion Certificate of Bachelor of Dental Surgery (B.D.S.) to the Applicant and further direction to the Respondent No.5-college to process the application before Respondent No.1- Maharashtra University of Health Sciences, Nashik (MUHS) for issuance of Degree Certificate of Bachelor of Dental Surgery (B.D.S.) to the Applicant.

2. The learned counsel appearing for the Applicant has stated that in view of the order dated 21 November 2017 passed by the Division Bench of

this Court passed in the above Petition, the Respondents were directed to permit the Petitioners to appear at the B.D.S. examination which had been scheduled on the next date. It was made clear that on the basis of the ad interim order the Petitioners would not be entitled to claim any equity, in case the Petitioners fail in the Petition. He has submitted that by virtue of this order, the Respondent No.5-College has not issued the Internship Completion Certificate of B.D.S. to the Applicant and/or processed the application of the Petitioner before the MUHS, Nashik for issuance of Degree Certificate of B.D.S. to the Applicant.

3. The Applicant has completed the four years B.D.S. course as well as the Compulsory Rotatory Internship Training Programme i.e. from 10 April 2023 to 9 April 2024 as per the Central Council and University norms. Instead of issuing Internship Completion Certificate, Respondent No.5-College has issued Provisional Internship Completion Certificate dated 3 June 2025 subject to outcome of the Writ Petition.

4. The Applicant has stated that the final B.D.S. Winter 2022 Examination Convocation of Respondent No.1 MUHS has been held and Degree Certificates of the students who have successfully completed B.D.S. course have been forwarded to the Respondent No.5-College, who has handed over Degree Certificates to the respective students who have successfully completed the 4 years B.D.S. course + 1 year internship.

5. The Applicant states that the Applicant approached Respondent No.5-

College and requested for issuance of Degree Certificate. The Applicant was informed that since the Writ Petition is pending he would have to get directions from this Court for issuance of Internship Completion Certificate and Degree Certificate and absent such order the Respondent No.5-College will not process the application for issuance of the Degree Certificate.

6. The Applicant has accordingly filed the present Interim Application.

7. The learned counsel appearing for Respondent No.1-MUHS has sought time to file affidavit-in-reply. She has submitted that the Applicant has not complied with B.D.S. regulations under which the Applicant was to complete the course within 3 years. She has accordingly opposed grant of prayer for issuance of Degree Certificate of B.D.S. to the Applicant.

8. The issue raised by Respondent No.1-MUHS, Nashik will be considered at the hearing of the Petition. The prayer clause (c) of the Interim Application is accordingly not granted at this stage.

9. Insofar as prayer clauses (a) and (b) are concerned, Mr. Waghmare, learned counsel appearing for Respondent No.5-College has referred to the order dated 21 November 2017 passed by Division Bench of this Court which had granted the ad interim order and made it clear that the Petitioners would not claim any equity in case of the Petitioners fail in the Petition. He has submitted that these prayers sought can be granted by imposing such conditions on the Applicant.

10. In view thereof, we grant prayer clauses (a) and (b) in the

Application, particularly considering that the Applicant has completed the compulsory internship training in Respondent No.5-College in the month of May, 2025 and for which the Applicant is required to be issued final Internship Completion Certificate of B.D.S. and not Provisional Internship Certificate.

11. The Respondent No.5-College shall issue the final Internship Completion Certificate of B.D.S. to the Applicant.

12. Insofar as the direction to Respondent No.5-College to process the application of the Applicant before the Respondent No.1-MUHS, Nashik for issuance of certificate of B.D.S. we consider it appropriate to grant this relief and also make it subject to the outcome of the Petition. The Respondent No.5-College is accordingly directed to process the application of the Applicant before the Respondent No.1-MUHS for issuance of Degree Certificate of B.D.S. to the Applicant.

13. In granting the prayers sought for by the the Applicant other than prayer clause (c) we make it clear that the Applicant/Petitioner No.6 will not claim any equities.

14. The Interim Application is accordingly disposed of in these terms.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]