IN THE HIGH COURT OF JUDICATURE AT BOMBAY CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION (STAMP) NO.92477 OF 2020

Namrata Ashok Karade & Ors.

...Petitioners

v/s.

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State of Maharashtra & Ors.

...Respondents

Mr. Kunal Kumbhat a/w Mr. Sanket Bhandarkar for the Petitioners.

Ms. Priyanka Patil for Respondent No.8.

Mr. P.P. Kakade, GP with Mr. M.M. Pable, AGP for the Respondents/State.

...

CORAM: A.A. SAYED &

S.P. TAVADE, JJ.

DATED: 05 SEPTEMBER 2020

(THROUGH VIDEO CONFERENCING AT 2 P.M.)

P.C.:

- Nine Petitioners who are under-graduate medical students of various streams of Maharashtra University of Health Science, Nashik, (MUHS) have filed the above Petition essentially seeking withdrawal of the impugned Circular dated 21 August 2020 pertaining to the holding of physical mode of examination of under-graduate medical students of final year across the State of Maharashtra.
- The Petition itself discloses that there are about 10,000 students who are to appear in the physical mode of examination as per the time table published by the MUHS, annexed at running page 102 of the Petition. The examinations are to be held from 8 September 2020. In our view, the Petitioners have approached this Court at the eleventh hour. There is only

one working day between today i.e. 5 September 2020 (Saturday) and 8 September 2020 (Tuesday). Hence, we are not inclined to grant any adinterim relief staying examination. The prayer for stay of the examination is rejected.

The Supreme Court in the case of Sayantan Biswas & Ors. vs. National Testing Agency (NTA) & Ors. [Writ Petition(s) (Civil) No.(s). 812/2020] while dismissing the Writ Petition seeking postponement of NEET UG-2020 and JEE (Main) April, 2020 vide order dated 17 August 2020 observed as follows:

"We find that there is absolutely no justification in the prayer made for postponement of the examination in question relating to NEET UG-2020 as well as JEE (Main) April, 2020. In our opinion, though there is pandemic situation, but ultimately life has to go and the career of the students cannot be put on peril for long and full academic year cannot be wasted.

Thus, we find no merit in the petition. The writ petition is, accordingly dismissed."

- 4 List the PIL on 17 September 2020.
- This order will be digitally signed by the Personal Assistant/
 Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(S.P. TAVADE, J.)

(A.A. SAYED, J.)