



CNR: KAHC010305382026

NC: 2026:KHC:53840-DB
WA No. 1322 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO.1322 OF 2026 (EDN-RES)

BETWEEN:

MS. VAISHNAVI VIJAY
D/O DR. N. VIJAY KUMAR,
AGED 22 YEARS,
II BDS STUDENT, UNI. REG. NO.22D3103,
V.S. DENTAL COLLEGE AND HOSPITAL,
K.R. ROAD, V.V. PURAM,
BENGALURU – 560 004.

...APPELLANT

(BY SRI. ABHISHEK MALIPATIL, ADVOCATE)

AND:

1. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES
4TH 'T' BLOCK, JAYANAGAR,
BENGALURU – 560041.
REPRESENTED BY ITS
REGISTRAR (EVALUATION).
2. DENTAL COUNCIL OF INDIA,
AIWAN-E-GALIB MARG, KOTLA ROAD,
NEW DELHI – 110 002.
REPRESENTED BY ITS SECRETARY.
3. V.S. DENTAL COLLEGE AND HOSPITAL,
K.R. ROAD, V.V. PURAM,



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NC: 2026:KHC:53840-DB
WA No. 1322 of 2026

BENGALURU – 560004.
REPRESENTED BY ITS DEAN/PRINCIPAL.

...RESPONDENTS

(BY SRI. VIKRAM HUILGOL, SENIOR ADVOCATE A/W
SMT. KULKARNI MAMATA GURURAO, ADVOCATE FOR R-1;
SRI. ADITYA BHAT, ADVOCATE FOR R-2;
R-3 SERVED & UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR RECORDS IN W.P. NO.36115/2025 FILED BY THE APPELLANT; AND SET ASIDE THE JUDGMENT AND COMMON ORDER DATED 04.02.2026 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.36115/2025 AND ALLOW THE WRIT PETITION FILED BY THE APPELLANT AND ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. After some arguments, the learned counsel for the appellant seeks permission to withdraw the present appeal. He points out that, by virtue of the interim order dated 08.12.2025 passed in W.P. No.36115/2025 (EDN-RES), the appellant has attended Third Year Bachelor of Dental Surgery [BDS] classes, notwithstanding that she had not cleared the Second Year BDS examination held in October 2025, having failed in two subjects- "General Pathology



CNR: KAHC010305382026

and Microbiology”, and “General and Dental Pharmacology and Therapeutics”.

2. Additionally, the appellant had reappeared for the supplementary examinations conducted in March, 2026 and has cleared the same. Thus, the appellant has not only cleared the subjects in which she had earlier failed, but also claims to have attended the classes by virtue of the interim order. The learned counsel submits that, in this view, if the appellant is now relegated to repeat the said classes, the same would not be justified.

3. In these peculiar circumstances of the case, we permit the appellant to withdraw the present appeal. However, this would not preclude respondent No.1-Rajiv Gandhi University of Health Sciences [**the University**] from considering the appellant’s case, bearing in mind the special facts as noted above. It is also clarified that we have not rendered any opinion on whether the appellant’s undertaking the III BDS course should be regularized; it is entirely within the discretion of the University to consider the appellant’s case.



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4. The appeal is dismissed as withdrawn, albeit with the aforesaid observations.

5. The pending interlocutory applications also stand disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

MBM
List No.: 2 SI No.: 1