

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.778 OF 2015

Shubham s/o Pramod Chatlawar,
Age-18 years, Occu:Student,
R/o-Palaj, Tq-Bhokar,
Dist-Nanded.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Tribal Development Department,
Mantralaya, Mumbai-32,
- 2) The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Division, Aurangabad, Through its
Member Secretary,
- 3) Pune University,
Through its Registrar,
- 4) The Principal,
Maharashtra Institute of Technology,
Paud Road, Kothrud, Pune.

...RESPONDENTS

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Mr. Vivek U. Jadhav Advocate for Petitioner.
Mrs. Y.M. Kshirsagar, A.G.P. for Respondent
No.1.

Mr.Pravin S. Patil Advocate for Respondent No.2
None present for Respondent Nos.3 and 4
though served.

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**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 15TH APRIL, 2015

ORDER :

1. None appears for Respondent Nos.3 and 4, though served.

2. Mr. Jadhav, the learned counsel for the Petitioner submits that validation proceedings in respect of the tribe claim of the Petitioner are pending, however the Respondent institution is insisting for full fees.

2. Mr. Patil, the learned counsel for Respondent No.2 Committee submits that Committee would decide the validation proceedings within six months.

3. In light of the above, we pass the following order:

O R D E R

(A) Respondent No.2 Committee shall decide the validation proceedings in respect of tribe claim of the Petitioner, expeditiously, preferably within SIX MONTHS.

(B) The Petitioner shall file an undertaking with the institution that in case his tribe claim is invalidated, then the Petitioner would pay the full fees as payable by an open category candidate.

(C) On submission of an undertaking, the Respondent Nos.3 and 4 shall allow the Petitioner to appear for examination, if there is no other legal impediment, without insisting for fees as that of an open category candidate.

(D) Of course the Petitioner would be bound by the undertaking given by him and the Respondent Nos.3 and 4 would be entitled to charge the fees as that of an open category candidate, in case the tribe claim of the Petitioner is invalidated.

. The Writ Petition is accordingly disposed of. No costs.

. Authenticated copy of this order be provided to the learned counsel for the Petitioner.

[A.I.S.CHEEMA, J.]

asb/APR15

[S.V. GANGAPURWALA, J.]