

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 2644 OF 2015

Ahilyabai D/o Prakashrao Mandalwad,
Age: 19 Years, Occu.: Education,
R/o: Manatha, Tq. Hadgoan,
District- Nanded.

... PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Medical Education and Drugs Department,
Mantralaya, Mumbai.
2. The Dean
Government Ayurved College
Vazirabad, Nanded
Dist. Nanded.
3. The Registrar,
Maharashtra University of Health
Sciences, Dindori Road, Mhasrul/
Nashik, District- Nashik.
4. The Scheduled Tribe Caste Certificate
Verification Committee Aurangabad,
Through its Dy. Director (R),
Aurangabad.

... RESPONDENTS

Mr. Sunil M. Vibhute, Advocate for the Petitioner.
Mrs. S.A.Dhumal, AGP for Respondent/State.
Mr. K.C.Sant, Advocate for Respondent No.3.
Mr.Tele, Advocate for Respondent No.4.

CORAM : **S. V. GANGAPURWALA and
V. L. ACHLIYA, JJ.**

DATE : 09th March, 2015.

ORAL JUDGMENT: (Per S. V. Gangapurwala, J.)

1 Rule. Rule made returnable forthwith. With the consent of the learned counsel appearing for the parties, the petition is taken up for final hearing.

2 The validation proceedings in respect of the tribe claim of the Petitioner is pending consideration with the Committee. The proposal to the Committee for validation has been forwarded in December 2013. The learned counsel for the Petitioner submits that the Petitioner is not allowed to prosecute the further studies and appear for the examinations.

3 Mr.Tele, learned counsel submits that it would take some time to decide the said proceedings.

4 We have heard Mr.Sant, learned counsel for the Respondent – University and the learned Additional Government Pleader.

5 To get the proceedings decided within the stipulated period, is not in the hands of the litigant.

6 Considering the above, we pass the following order:

I. The Committee shall decide the validation

proceedings in respect of the tribe claim of the Petitioner, expeditiously, preferably within a period of one year.

II. The Petitioner shall cooperate in expeditious disposal of the said proceedings.

III. The Respondents shall not refrain the Petitioner from appearing for the examinations and prosecuting the further studies only on the ground that the validation proceedings are pending. Of course, the Respondent – University and the College can take further steps in tune with the judgment of the Committee in validation proceedings.

IV. Accordingly, Rule is made absolute in above terms.

No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

ndm