

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2868 OF 2015

Umesh S/o Motilal Thakur
Age 20 years, Occ-Education
R/o Lasur, Tq. Chopda
Dist.Jalgaon
At present R/o Govt.Medical
College & Civil Hospital Hostel
Latur, Dist.Latur.

.. PETITIONER

Versus

- 1] Scheduled Tribe Certificate Scrutiny
Committee, Nandurbar
through its Member Secretary
- 2] Maharashtra University of Health
Sciences, Nashik
Vani Road, Nashik
through its Registrar.
- 3] Government Medical College
Latur, Dist.Latur
through its Dean.

..RESPONDENTS

...
Mr.Mahesh S. Deshmukh, Advocate for petitioner
Mr.P.N.Mulay,AGP for respondent State
Mr.K.C.Sant,Adv. For R.2

...

**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.
DATED : 12th MARCH, 2015**

ORAL JUDGMENT [PER S.V.GANGAPURWALA,J.]:-

1] Rule. Rule made returnable forthwith. With consent of parties, Petition is heard finally.

2] Mr.Deshmukh, learned counsel for petitioner submits that the validation proceedings in respect of tribe claim of the petitioner is pending. Even this court vide order dated 1/4/2014 had directed the committee to decide the validation proceedings expeditiously within one year from the date of said order. Still the result of the petitioner of second year M.B.B.S. Examination has been withheld. Mr.Sant, learned counsel for university and the learned AGP for the respondent college submitted that in absence of the validation certificate, result could not have been declared.

3] This Court vide order dated 1/4/2014 in Writ Petition No.1947/2013 has already directed the committee to decide the validation and proceedings preferably within one year from the date of the said order and even this Court directed vide order in the said Writ Petition on 14/3/2013 not to take coercive action

against petitioner solely on the ground of his failure to produce validation certificate.

4] In light of that, we pass following order :

a] The respondent nos.2 and 3 shall not withhold result of the petitioner's second year examination and shall not restrain petitioner from prosecuting further studies only on the ground that validation proceedings are pending. Ofcourse respondents can take further steps in tune with the judgment of the committee in the validation proceedings.

5] Writ Petition is disposed of. Rule made absolute in above terms. No costs.

V.L.ACHLIYA, J.

umg/

S. V. GANGAPURWALA, J.