

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.3106/2015

14 WRIT PETITION NO. 3106 OF 2015

DIPAK YUVRAJ SAPKALE
VERSUS
NORTH MAHARASHTRA UNIVERSITY, JALGAON AND ANOTHER

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Advocate for Petitioner : Mr.Patil Vijay B.
Advocate for Respondent no.1 : Mr. A.B.Girase
Advocate for Respondent no.2 :Mr. Subhash Chillarge.

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: March 23, 2015

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PER COURT :-

1. Heard.
2. This petition is filed with following prayer:

"B. By appropriate writ, order or direction in the like nature of writ, may please kindly be direct the Respondents to allow and accept examination form of VIIIth Semester of 4th Year of Pharmacy Course of the petitioner and allow the Petitioner to prosecute for his further entire Pharmacy Course without insisting the examination fees and till the final decision of his caste validity certificate and for that purpose appropriate orders may kindly be passed. "

3. Learned Counsel appearing for the petitioner, on instructions of the father of the petitioner, makes a statement that he is ready to deposit Rs.1,00,000/- (Rs. One lac) towards fees as part payment with respondent no.2 within four weeks

(2)

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AGP/-

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from today and the remaining amount within four weeks thereafter. He further submits that he will file an undertaking to that effect.

4. Counsel appearing for respondent no.2 invited our attention to the letter dated 21st June, 2014, at Exh.E of the compilation of the writ petition and submits that in case the petitioner succeeds before the Committee inasmuch as if his tribe claim is validated, respondent no.2 will refund entire fees mentioned in the said letter after its reimbursement from the State Government. The statement is accepted.
5. In the light of the above, we direct the respondents to accept the examination form of the petitioner forthwith subject to filing an undertaking by the petitioner to respondent no.2 that the fees will be deposited as indicated here-in-above. Such undertaking to be filed forthwith.
6. Parties to act upon the authenticated copy of this order.
7. Petition stands disposed of in above terms.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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