

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.3347/2015

WRIT PETITION NO.3347/2015

KUM. PRITI D/O NIVRUTIRAO MITTEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

...
Mr. S.M.Vibhute, Advocate for petitioner.
Mr. K.C.Sant, Adv., for respondent no.3.
Mr.K.D.Bade Patil, Adv., for respondent no.4.

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

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PER COURT :-

1. Heard. Not on Board. Taken on Board.
2. Heard finally with the consent of the parties.
3. The petitioner has filed this petition seeking direction to restrain respondent nos. 2 and 3 from cancelling the admission of the petitioner for the course of B.D.S. and from taking any adverse action against the petitioner for non submission of caste validity certificate since the proceedings about validity of the caste claim are pending before respondent no.4. It is further prayed that respondent nos. 2 and 3 may be directed to accept the examination form of the petitioner for of B.D.S. course.
4. Counsel appearing for respondent no.4 on instructions submits that the caste claim of the petitioner is pending before the respondent Committee and the respondent Committee is ready to decide the same finally within one year from today.

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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(2)

WP NO.3347/2015

5. We have heard Counsel for the petitioner and Counsel for respective respondents. We direct respondent no.4 to decide the pending caste claim of the petitioner as expeditiously as possible, preferably, within eight months from today.

6. Petitioner to cooperate with the Committee for early disposal of the caste claim.

7. The respondent nos. 2 and 3 are directed to accept the examination form of the petitioner for B.D.S. course.

8. Till a final decision is being taken by the respondent No.4 Committee on the caste claim of the petitioner, no adverse action will be taken against the petitioner on the ground that the petitioner has not submitted caste validity certificate.

9. We make it clear that the protection granted to the petitioner is subject to the outcome of the proceedings before respondent no.4 Committee.

Petition is disposed of in above terms.

Parties to act on the authenticated copy of the order.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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AGP/-