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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.4910/2015

Pradip Arun Pune.

...Petitioner..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri P.V. Jadhavar, Advocate for petitioner.

Shri K.M. Suryawanshi, AGP for respondent nos.1 & 5.

Shri K.D. Bade Patil, Advocate for respondent no.2.

Respondent nos.3 & 4 served.

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**CORAM: S.V. GANGAPURWALA &
V.K. JADHAV, JJ.**

DATE: 14.08.2015

ORDER :

- 1] Heard learned counsel appearing for the parties.
- 2] Learned counsel for the petitioner submits that the proposal seeking validity in respect of the tribe claim of the petitioner is pending with the respondent – committee. The petitioner is given admission with the

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respondent no.3 – college from the S.T. Category. The respondent no.3 has issued a notice on 11.2.2015 stating that as the validity certificate is not submitted, the admission of the petitioner would be canceled.

3] Learned counsel for the respondent no.2 accepts that the proposal seeking validity in respect of the tribe claim of the petitioner is pending with the committee. The respondent nos.3 & 4, though served, are absent.

4] Considering the fact that the validation proceedings in respect of the tribe claim of the petitioner are pending with the respondent no.2 – committee and it is submitted that it would take some time to decide the proceedings, we pass the following order.

5] The respondent no.2 – committee shall decide the tribe claim of the petitioner as belonging to Koli Mahadev – scheduled tribe, expeditiously and preferably within one year. The petitioner shall cooperate in expeditious disposal of the said proceedings. The impugned notice dated 11.2.2015 is quashed and set aside. The respondents shall not take any adverse action against the petitioner only on the ground that the validation proceedings are pending. Of course, the respondent nos.3

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& 4 can take suitable action in tune with the result of the validation proceedings. Writ petition is accordingly disposed of. There shall be no order as to costs.

(V.K. JADHAV, J.)

(S.V. GANGAPURWALA, J.)