

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7219 OF 2015

KISHORSING VASANT PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Shriram Umesh B
AGP for Respondents: Mr. S.G.Sangle
Advocate for Respondent 2 : Mr. Rupesh Bora h/f Mr. A.B.Girase
Advocate for Respondent 3 : Mr. Rakesh Jain h/f Mr. D.S.Bagul

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: July 20, 2015

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PER COURT :-

1. Learned counsel for the petitioner submits that validation proceedings in respect of his caste claim is pending with the Respondent No.4 committee since the year 2013. Result of the petitioner's examination of IIIrd year IInd Semester (Second Term) Engineering course is withheld only on the ground that validity certificate is not submitted. According to the learned counsel it is for the committee to decide the said proceedings.

2. Mr. Sangle, learned AGP submits that because of huge pendency of the matters it would take some time to decide the validation proceedings. Learned counsel for respondents No.2 and 3 submits that as validity is not submitted and petitioner is appointed from reserved category, result is rightly withheld.

3. We have considered the submissions advanced by the learned counsel for respective parties.

4. It is not in the hands of the litigants to get the proceedings decided within a stipulated period. It is not disputed that, validation proceedings in respect of

the caste claim of the petitioner is pending. This Court vide order dated 6.2.2015 in Writ Petition No.1339/2015 has already directed the Committee to decide the Validation proceedings within nine months. The Committee shall adhere to the said directions.

5. In light of above, we pass following order.

O R D E R

The Respondents No.2 and 3 shall not withhold the result of the petitioner's examination and shall not refrain the petitioner from prosecuting further studies only on the ground that validation proceedings are pending.

6. Writ Petition accordingly disposed of. No costs.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-