

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

WRIT PETITION NO. 7532 OF 2015

Ismail Ahmedkha Tadvī .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Mahesh V. Ghatge, Advocate for the Petitioner.

Shri K. M. Suryawanshi, A.G.P. for the Respondent No. 1.

Shri Pravin S. Patil, Advocate for the Respondent No. 2.

Smt. Asha Rakh, Advocate for the Respondent No. 3.

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

DATE : 03RD AUGUST, 2015.

PER COURT :

. The 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 No. 2/committee, however, the respondent Nos. 3 and 4 are refraining the petitioner from prosecuting his further studies of the B. Sc. nursing course.

2. Mr. Patil, the learned counsel for the respondent No. 2/committee states that, now vigilance has been conducted in the said proceedings and only hearing has remained.

3. Mrs. Rakh, the learned counsel for the institution states

that, as the petitioner is admitted from the reserved category, as such he is bound to submit the validity certificate.

4. It is not disputed that, the validation proceedings in respect of tribe claim of the petitioner is pending with the respondent No. 2/Committee. In the light of that, it would be inappropriate to refrain the petitioner from prosecuting further studies.

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

6. The respondent No. 2/Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six (6) months from today. The petitioner shall co-operate in expeditious disposal of the said proceedings. The respondent university and the college shall not refrain the petitioner from prosecuting further studies only on the ground that the validation proceedings is pending. The respondent Nos. 3 and 4 can take further course of action depending upon the judgment of the respondent No. 2/Committee in validation proceedings. The writ petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]