

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO.: 10586 OF 2014

RANI VITHAL PUJARWAD THROUGH
GUARDIAN VITHAL POSHATTY PUJARWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 10591 OF 2014

NIKETAN SURESH KOMATWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 10595 OF 2014

SWAPNIL DIGAMBARRAO PADALWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents: Mr.K.G.Patil.
Advocate for Respondent No.3 : Mr. K.C. Sant.
Advocate for Respondent No.4 : Mr. Bade Patil K.D.

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CORAM : **S. V. GANGAPURWALA and
V. L. ACHLIYA, JJ.**

DATE : 09th March, 2015.

PER COURT:

1] Heard the learned counsel appearing for the respective parties.

2] The limited grievance made by the petitioners is that, though this Court directed the respondent No. 4 / Committee to decide the validation proceedings within a period of one year vide order dated 01.07.2014 in Writ Petition No. 4833 of 2014 with connected writ petitions and has also further directed the respondent/ college therein not to take any adverse

action against the petitioner on the ground that validation proceedings are pending, still the respondent No. 3 is not allowing the petitioners to prosecute further studies.

3] Mr. Sant, the learned counsel submits that, the university was not party in the earlier petition. The Court had only directed not to take adverse action that would only mean that admission is not to be cancelled, however, they cannot be allowed to appear for examination.

4] The fact that, validation proceedings in respect of tribe claim of the petitioner is pending is a matter of record. Even this Court had directed the Committee to decide the said tribe claim within a period of one year from 01st July, 2014. The Committee shall adhere to the said directions. The petitioners shall also cooperate in expeditious disposal of said proceedings. The respondents shall not refrain the petitioner from appearing for examination only on the ground that validation proceedings are pending. The respondents can take further course of action depending upon the decision of the Scrutiny Committee.

5] Accordingly, the writ petitions are disposed of in above terms. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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