

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.11132 OF 2014

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.M.Vibhute, advocate for the petitioner
Mr.A.S.Shinde, Asstt. Govt. Pleader for the State.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 27.01.2015.

PER COURT :

1. Heard.
2. Though Respondent No.2 is served, none appears for Respondent No.2.
3. Learned counsel for the petitioner submits that the tribe claim of the petitioner is pending consideration with the Committee since the year 2013. The same is not yet decided. The brother of the petitioner has been issued validity certificate so also the real uncle of the petitioner is issued validity certificate. Now the College is insisting for the fees.
4. Learned counsel for the Committee submits that it would take some time to decide the said proceedings because of huge

pendency of the matters.

5. We have heard the learned Asstt. Govt. Pleader for the Respondent No.1.

6. The validation proceedings in respect of the tribe claim of the petitioner are still pending. The same are yet to be decided. The petitioner has been given admission from the reserved category. It is submitted that now the Respondent No.2 is insisting for payment of fees on the ground that validation proceedings are pending and validity certificate is not yet issued. It will be inequitable at this stage to direct the petitioner to deposit the fees.

7. Considering the above, we pass the following order :

a) The Respondent No.3 Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within one year. The petitioner shall cooperate in expeditious disposal of the proceedings. The Respondents shall not insist for the payment of fees on the ground that validation proceedings are pending. The Respondent No.2 can demand fees in case the petitioner fails in the validation proceedings. Learned counsel for the petitioner submits that the petitioner has been declared as passed in First Year Engineering course. In light of that, the petitioner, if she is otherwise eligible and qualified, be given admission to the Second Year Engineering course.

b) The Writ petition is disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..27.01.2015.
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