

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.839 OF 2015

Shubham Gururaj Hiremath .. Petitioner
-Versus-
State of Maharashtra & Ors. .. Respondents

Mr.C.K.Bhangoji i/b. R.K.Mendadkar for petitioner
Mrs.S.S.Bhende, AGP for State.

CORAM : SMT. V.A.NAIK &
C.V.BHADANG, JJ.

DATE : 30th January 2015.

P.C.

Rule. Rule made returnable forthwith. The petition is heard finally with consent of the parties.

By this petition, the petitioner seeks a direction to the respondent No.2 Caste Scrutiny Committee to decide the caste claim of the petitioner as early as possible. The petitioner seeks a direction to the respondent Nos. 3 and 4 to accept the application of the petitioner for appearance at the first year MBBS course examination.

According to the petitioner, though the caste claim of the petitioner is submitted to the Scrutiny Committee for verification, the same has not been decided till date. It is stated that the education of the petitioner needs to be protected till his caste claim is decided.

Learned AGP states on instructions that the caste claim of the petitioner is pending before the respondent No.2 – scrutiny committee and the same would be decided as early as possible.

In view of the aforesaid we allow the petition. The respondent No.2 – scrutiny committee is directed to decide the caste claim of the petitioner within a period of four months from the date of appearance of the petitioner. The petitioner undertakes to appear before the scrutiny committee on 16th February 2015 so that issuance of notice to the petitioner could be dispensed with. Since the petitioner was not at fault in not producing the caste validity certificate, the education of the petitioner is protected till his caste is decided. The respondent Nos. 3 and 4 are, therefore, directed to accept the examination form of the petitioner and permit the

petitioner to appear at the first year MBBS examination. Rule is made absolute in the aforesaid terms. No costs.

(C.V.BHADANG, J)

(SMT. V.A.NAIK, J.)