

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CRIMINAL JURISDICTION

WRIT PETITION NO. 5883 OF 2003
WITH
WRIT PETITION NO. 4503 OF 1998

W.P. NO. 5883 OF 2003 :

1. Ashwini Rajendrasingh Rajput
2. Pritviraj Rajendrasingh Rajput

Minors, through their mother
Smt. Shobha Rajendrasingh Rajput
r/o Krishna Sugar Factory, Shivaji Nagar,
Tal. Karad, Distt. Satara. ::

PETITIONERS

-: Versus :-

1. The State of Maharashtra
2. Caste Verification and Scrutini Committee,
Social Welfare Department,
State of Maharashtra, Pune-1.
3. The Director of Medical Education
and Research, Mumbai. ::

RESPONDENTS

W.P. NO. 4053 OF 1998 :

Miss Gauri Rajendrasingh Rajput
a minor through her mother and guardian
Smt. Shobha Rajendrasingh Rajput
r/o Krishna Sugar Factory, Shivaji Nagar,
Tal. Karad, Distt. Satara. ::

PETITIONER

-: Versus :-

1. The Director, Medical Education
and Research, Mumbai.
2. Dean, Miraj Medical College,
Miraj, Distt. Sangh

3. Dean, Krishna Charitable Medical College, Karad, Distt. Satara.
4. Dean, Tarachand Medical College, Pune.
5. Dean, Island Medical College, Satara.
6. Caste Verification and Scrutiny Committee, Social Welfare Department, State of Maharashtra, Pune.
7. The State of Maharashtra (to be served through Government Pleader, PWD Building, Mumbai. ::

RESPONDENTS

Mr. Mahesh Rawoal, Adv. I/b Mr. P. B. Shah, Adv. for the petitioners.
Mr. Vikas Mali, A.G.P. for respondents No. 1 to 3.

**CORAM : NARESH H. PATIL AND
S. B. SHUKRE, JJ.
18th JUNE, 2015**

ORAL JUDGMENT

(Per Naresh H. Patil, J.)

1. The petitioners were M.B.B.S. students. Under the interim orders, it seems that they pursued their education in M.B.B.S. course. In the proceedings of Writ Petition No. 4503 of 1998, the Division Bench of this Court (J.N. Patel & A. A. Sayed, JJ.) on 16/6/2007 observed as under.:

“The learned counsel for the petitioner submits that there are group of petitions filed by the family of Rajendrasingh Rajput claiming that they belong to caste 'Rajput Bhamata' and by interim orders of this Court all of them have

probably completed MBBS course. We, therefore, direct the learned counsel for the petitioner to furnish details of all the connected petitions and take steps to remove objections within six weeks. We make it clear that till the petition is finally decided all the members of Rajendrasingh Rajput who have taken advantage of the interim orders of this Court to complete their MBBS course would not claim any benefit of the caste 'Rajput Bhamata' without seeking further orders of this Court. The AGP is directed to communicate this order to the respective authorities."

2. It seems that due to passage of considerable period, the petitioners might have completed their education long back. The petitioners approached this Court pending adjudication of their caste claim by the Scrutiny Committee. In spite of efforts being made by the Counsel appearing for the petitioners and the A.G.P. for the State, nothing is placed on record to show as to whether the Scrutiny Committee has finally decided the caste claim of the petitioners. Learned Counsel appearing for the petitioners submitted that they have tried their level best to contact the petitioners, but so far there is no response.

3. Without observing anything adverse to the petitioners' caste claim, we find that due to efflux of time these petitions could be disposed of with liberty to the petitioners to pursue their caste

claim cases before the appropriate Committee in case the Scrutiny Committee has not decided their caste claim so far.

Accordingly, both the writ petitions are disposed of.

Rule discharged.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)