

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4378 OF 2015

Mr.Sahil Faijulali Mulla

.... Petitioner

VS

Director of Technical Education,

Maharashtra State,Mumbai and ors.

.... Respondents

Mr. Vinod P. Sangvikar for the petitioner.

Mr. C. P. Yadav,AGP for respondents 1, 2 and 5.

**CORAM: ANOOP V. MOHTA AND
V. L. ACHLIYA, JJ.**

DATE : June 24, 2015

P.C.:

The Petitioner's caste claim (Mulani) as recognised Other Backward Class (Certificate is placed on record dated 20.11.2014) is pending before the Scrutiny Committee. The Petitioner appeared in First Year of B.E. (Mechanical) examination in Respondent No.4-college for the academic year 2014-15. Therefore, at this stage, by keeping all points open, we are inclined to direct Respondent No.4 to declare the result and permit the Petitioner to prosecute his further study, if he is otherwise eligible except the issue of caste validity certificate which is pending.

2 Respondent No.2-Caste Scrutiny Committee to decide the caste claim of the Petitioner as early as possible preferably within eight months by giving equal opportunity to all. It is made clear that the order which we have passed today, even the education of the Petitioner will be subject to final decision of his caste validity claim. There is no question of claiming any equity if order goes against the Petitioner which will be subject to further order of this Court.

3 If adverse order is passed against the Petitioner, the effect need not be given for a period of four weeks further.

4 The writ petition is disposed of in the above terms, with liberty.

5 No costs.

(V. L. ACHLIYA, J.)

(ANOOP V. MOHTA, J.)