

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7690 OF 2014

Kum.Aarti Sanjiv Saindane

... Petitioner

Vs.

State of Maharashtra & Ors.

... Respondents

Ms.Helen Koli – Mandlik i/b R.K. Mendadkar for the Petitioner

Ms.S.S. Bhende, AGP, for Respondent Nos.1 & 2

Mr.S.G. Shirsat for Respondent No.3

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

DATE: 16th JANUARY, 2015

ORAL JUDGMENT (PER SMT. VASANTI A. NAIK, J.):

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

By this petition, the petitioner seeks a direction to the respondent No.2 – Scrutiny Committee to decide the caste claim of the petitioner within a reasonable time.

Ms.Bhende, the learned Assistant Government Pleader, appearing on behalf of the respondent No.2 – Committee, states that the caste claim of

the petitioner is pending before the Scrutiny Committee and the petitioner is directed to remain present before the Committee for hearing on 28.1.2015. It is stated that the caste claim of the petitioner would be decided within a reasonable time.

In view of the aforesaid, the writ petition is allowed. The respondent No.2 Scrutiny Committee is directed to decide the caste claim of the petitioner within a period of 9 months from 28.1.2015. Since the petitioner was not at fault in not submitting the caste validity certificate to the respondent No.3 college, the education of the petitioner is protected till her caste claim is decided. The petitioner should be permitted to prosecute her studies and appear at the examinations, till her caste claim is decided.

Rule is made absolute in the aforesaid terms with no order as to costs.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)