

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4324 OF 2014

[Swapnil s/o Tarachand Gajbe .vs. Principal, Shri Sant Shankar Maharaj College of Agriculture,
Pimpalkhuta, District-Amravati and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.P. Khare, counsel for the petitioner,
Shri A.R. Deshpande, counsel for the respondent no.1 and 3,
Shri N.R. Rode, AGP for the respondent no.4,
Mrs. B.H. Dangre, counsel for the respondent no.5.
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CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.

DATED : JUNE 25, 2015.

By this petition, the petitioner seeks a direction to the respondent-scrutiny committee to decide the tribe claim of the petitioner within a time frame. The petitioner seeks a direction to the respondent no.1-College to provisionally admit the petitioner on a scheduled tribe seat in the first year B.Sc. (Agri.) course in the Academic Session 2014-15.

When this matter came up for admission, by an order dated 12.8.2014, we had directed the respondent no.1 not to refuse the admission to the petitioner on the ground that he does not possess a caste validity certificate.

Mrs. Dangre, the learned counsel for the respondent no.5-Scrutiny Committee, states that the caste claim of the petitioner is pending before the scrutiny committee and the same would be decided as early as possible.

In view of the statement made by the learned counsel for the scrutiny committee, we dispose of the writ petition, with a direction to the scrutiny committee to decide the caste claim of the petitioner, as early as possible and positively within a period of one year from the date of appearance of the petitioner before the scrutiny committee.

The petitioner undertakes to appear before the scrutiny committee on 6.7.2015, so that issuance of notice to the petitioner could be dispensed with.

Since the petitioner was not at fault for not producing the caste validity certificate at the time of his admission, as his caste claim is pending, we direct that the admission of the petitioner in the college should be protected, till his caste claim is decided.

Order accordingly. No costs.

JUDGE

JUDGE

Gulande