

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1474 OF 2016

Chandrakant s/o Narsing Rokde

Petitioner

Versus

State of Maharashtra & others

Respondents

Mr.S.M.Vibhute, advocate for the petitioner.

Mr.S.S.Dande, A.G.P. for Respondents No.1 & 4.

Mr.S.B.Patil, advocate for Respondent No.2.

Mr.C.A.Jadhav, advocate for Respondent No.3.

CORAM : R.M.BORDE &

A.I.S.CHEEMA, JJ.

DATE : 22nd February, 2016

PER COURT:

1 This petition can be disposed of by directing Respondent No.3 - University to permit the petitioner to appear for examination since there is an apprehension in the mind of the petitioner that he would be prohibited from appearing for examination.

2 There is already a direction issued by this Court that the Scrutiny Committee shall take decision in the matter within a period of one year from the date of order i.e. 26.06.2015 and as such, no separate direction, in that regard, needs to be issued.

3 In view of above, writ petition stands disposed of.

4 Learned Counsel appearing for Respondent No.2- College makes a prayer that in the event of failure of the petitioner

to procure validity certificate within the time stipulated by this Court in the order passed on 26.06.2015, petitioner shall be instructed to pay fees.

5 Prayer made by Respondent No.2- College needs to be recorded only for rejection for the reason that it is not within the control of the petitioner to secure validity certificate from the Scrutiny Committee within the time frame, as decision is required to be taken by the Scrutiny Committee. Respondent No.2 - College is directed not to take adverse action against the petitioner until decision by the Scrutiny Committee on the proposal for verification of caste certificate of the petitioner.

A.I.S.CHEEMA
JUDGE

adb/wp147416

R.M.BORDE
JUDGE