

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.3173 OF 2016

Santosh s/o Namdevrao Kadarwad ... PETITIONER

VERSUS

The Dean, Government Dental
Medical College & Hospital,
Aurangabad & others ... RESPONDENTS

.....
Shri Sachin S. Deshmukh, Advocate for petitioner
Shri U.H. Bhogale, A.G.P. for State
Shri S.B. Bhosale, Advocate for respondent No.3
.....

CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.

DATED: 16th March, 2016.

ORAL ORDER :

1. Notice to respondents. Learned A.G.P. waives service for respondent Nos.1, 2 and 4. Mr. Bhosale, learned counsel waives service for respondent No.3.

2. Mr. Deshmukh, learned counsel submits that, this Court, vide order dated 22.8.2014, in Writ Petition

No.2799/2014, had directed the respondent University to declare the result of the petitioner's First Year B.D.S. examination and to allow the petitioner to continue further studies subject to the decision of the Committee in the validation proceedings. So also, this Court, vide order dated 20.3.2014, in Writ Petition No.5515/2013, had directed the Committee to dispose of the validation proceedings in respect of the tribe claim of the petitioner within one year from the date of the said order. According to the petitioner, the said proceedings are not yet decided.

3. The order dated 22.8.2014 in Writ Petition No.2799/2014 is explicitly clear. In view of that order, the respondent No.1 could not have issued the letter/ notice dated 1.3.2016 (Exhibit C).

4. The Committee shall decide the said proceedings expeditiously as almost two years have lapsed from the date of the order directing the Committee to decide the proceedings within one year.

5. It is reiterated that the respondents shall not refrain the petitioner from prosecuting further studies only on the

ground that the validation proceeding are pending. Of course the respondents can take further course of action in tune with the judgment of the Committee in the validation proceedings.

6. The impugned letter is quashed and set aside. Writ Petition disposed of. No costs.

(A.I.S. CHEEMA, J.)

(S.V. GANGAPURWALA, J.)

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