

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7794 OF 2016

Mayur Suresh Deshmukh

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. M.M. Bhokarikar advocate for the petitioner

Mr. K.N. Lokhande, AGP for Respondent No.1 & 2

Mr. Golewar h/f Mr. A.R. Joshi, advocate for respondent No.3

CORAM : R.M. BORDE &
K.K. SONAWANE, JJ

(Date : 2nd September, 2016.)

PER COURT :-

1 Although the petition is presented raising exception to the order passed by the Scrutiny Committee, directing invalidation of the caste certificate issued to the petitioner, at the stage of hearing, learned counsel appearing for the petitioner, on instructions states that, the petitioner is not serious about the challenge and hence forth, he will not claim any benefit as a Member of reserve category. An undertaking duly signed by the petitioner as well as his advocate is placed on record and marked 'X' for identification.

2 The undertaking is accepted.

3 The petitioner shall not be entitled to claim any benefit as a Member of the reserve category, in future for any purpose, including for pursuing higher education or for securing employment. The order passed by the Scrutiny Committee invalidating the caste certificate of the petitioner is confirmed.

4 It is informed that, the petitioner has completed Engineering degree course. However, the University has not issued the degree certificate and marks sheet. In view of the Judgment delivered by the Supreme Court in the matter of *State of Maharashtra V/s Milind and others (2001 Vol1 SCC 4)* the educational qualification acquired by the petitioner needs to be protected. The University of Pune is directed to issue the degree certificate as well as the marks sheet forth with. The respondent No.3 College is also directed to return back the original documents, as requested by the petitioner, forth with.

5 With the directions as above, the writ petition stands disposed. Pending Civil Application, if any, does not survive and stands disposed of.

(K.K. SONAWANE, J)

(R.M. BORDE, J)