

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6523 OF 2016

Shital d/o Suresh Gujar ... **Petitioner**
Age 19 years, Occu: education
R/o Kasbe, Tq. Osmanabad,
District: Osmanabad.

VERSUS

- | | | | |
|----|---|-----|---------------------|
| 1. | The State of Maharashtra
Through its Secretary,
Social Welfare Department,
Mantralaya, Mumbai. | | |
| 2. | The Scheduled Caste, Other
Backward Classes,
Special Backward Category, De-
notified Tribes and Nomadic
Tribe, Divisional Caste
Certificate Verification
Committee No.2, Latur, District
Latur
Through its Member Secretary | ... | Respondents. |
| 3. | The Commissioner & Competent
Authority,
State Common Entrance Test Cell,
Government of Maharashtra,
305, Government Polytechnic Bldg.
Kherwadi, Ali Yawar Jung Marg,
Bandra, Mumbai | ... | Respondents |

Advocate for Petitioner : Mr. Sunil M. Vibhute.
A.G.P. for the Respondents State: Mr. P. S. Patil

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 23rd June, 2016

ORAL JUDGMENT (Per Borde, J.):

1. Heard the learned counsel for the parties.
2. Rule. Rule made returnable forthwith and the

petition is heard for final disposal by the consent of learned counsel for the respective parties.

3. The petitioner is objecting to the order passed by Respondent No.2 Committee dated 18.06.2016 returning the proposal tendered by the petitioner for verification of the caste certificate merely on the ground that the petitioner has failed to submit bona-fide certificate of the current year.

4. The petitioner is desirous of securing admission to the professional course and as such needs validation certificate. The petitioner has completed 12th Standard (Science) examination and has already appeared for MH T CET-2016 examination. The insistence of the Scrutiny Committee for production of the bona-fide certificate is erroneous. In the facts and circumstances of the case, the writ petition deserves to be allowed and the same is accordingly allowed.

5. The Respondent No.2 Committee is directed to accept the proposal of the petitioner for verification of the caste certificate without insisting for the bona-fide certificate of the current year and shall take decision on the proposal in accordance with the procedure of law within a period of eight months.

6. The petitioner shall tender the proposal for verification of the caste certificate directly to the Committee within a period of two weeks from today.

7. The Scrutiny Committee shall issue acknowledgment receipt of proposal for validation of the caste certificate to the petitioner which can be produced to the competent authority for processing the application for admission to the medical course.

8. Rule is made absolute accordingly.

9. There shall be no order as to costs.

10. Authenticated copy is allowed. Parties to act upon authenticated copy of this order.

(K. L. WADANE, J.)

(R. M. BORDE, J.)