

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8497 OF 2016

Khatik Ibrahim Mustakbhai

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.H.A. Joshi advocate for the petitioner

Mr. S.S. Dande, AGP for Respondent No.1

Mr. D.S. Bagul, advocate for respondent No.3

Mr. Yogesh Bolkar h/f Mr. A.B. Girase advocate for respondent No.2

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

(Date : 8th August, 2016.)

PER COURT :-

1 The petitioner claims to belong to Khatik community which is included in other backward classes (OBC) category. The petitioner has been admitted to engineering course as against a seat reserved for OBC category. The caste certificate issued to the petitioner by the competent authority is referred for verification to respondent No.1 scrutiny committee and the proposal is stated to be pending.

2 In the facts of the case, this petition can be disposed of with direction to respondent No.1 committee to take decision on the caste certificate verification proposal of the petitioner as expeditiously as possible and preferably within a period of one year from today and it is accordingly directed. It is informed that, as a result of failure of the petitioner to submit caste validation certificate, the respondent No.2 university has withheld result of the first year engineering course. Respondent No.2 university is directed to declare the result of the petitioner of the first year engineering examination held in April/May, 2016 forthwith. Respondent No.3 is directed to permit the petitioner to secure admission for next year course, if he is otherwise found eligible and he shall not be detained solely on the ground of his failure to submit validation certificate. The admission of the petitioner to respondent No.3 institute shall be subject to decision in respect of caste certificate verification proposal pending with respondent No.1 committee.

3 The writ petition is disposed of accordingly.

(K.L. WADANE, J)

(R.M.BORDE, J)