

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9107 OF 2016

Abhilash Mahendrasing Rajput,
Age: 19 years, occu: student,
R/o Jahagirdar Wadi,
Station Road,
Chalisingaon, Tq. Chalisingaon
Dist. Jalgaon

Petitioner

Versus

- 1 The State of Maharashtra,
Through its Secretary,
Social Welfare Department,
Mantralaya, Mumbai 32
- 2 The Director of Technical Education,
Maharashtra State,
3, Mahapalika Marg,
Post Box No.1967, Mumbai
- 3 The Divisional Caste Scrutiny
Committee No.2, Parola Road,
Near Rachana Hall, Dhule
Tq. & Dist. Dhule
through Its Director.
- 4 Mahatma Gandhi Mission's
College of Engineering &
Technology, Sector – 18,
Kamothe, Navi Mumbai 410 209
through Its Principal

Respondents

Mr.D.B. Thoke advocate for the petitioner

Mr.S.S.Dande, Assistant Govt. Pleader for Respondent Nos.1 to 3

Mr. S.K. Kadam & Mr. V.S. Kadam advocates for respondent No.4

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

(Date : 15th September, 2016.)

ORAL JUDGMENT

(Per: R.m. Borde, J)

1 Heard.

2 Rule. With the consent of the parties, petition is taken for final decision, at admission stage.

3 The petitioner claims to belong to Rajput Bhamta caste, which is included in VJ category. The petitioner is in receipt of the caste certificate issued by the Competent Authority. He has been admitted to Engineering Degree course in the College run by respondent No.4 institute, as against a seat reserved for VJ category. As a result of failure of petition to submit validation certificate, the College has directed cancellation of his admission by order dated 10.8.2016. The petitioner states that, the proposal for verification of the caste certificate is forwarded to respondent No.3 committee and the matter is pending for decision.

4 In the facts of this case, this petition can be disposed of by directing respondent No.3 committee to take decision on the caste certificate verification proposal of the petitioner, pending with the

committee, as expeditiously as possible and preferably within a period of one year from today and it is accordingly directed. The order passed by respondent No.4 on 10.8.2016, directing cancellation of the admission of the petitioner to First Year Engineering course is quashed and set aside. The petitioner shall be readmitted to the Engineering Degree course forth with.

5 The petitioner undertakes to pay fees to respondent No.4 College, subject to reimbursement of the amount by the State Government. In the event of reimbursement of the fees by the State Government, the College shall refund the amount of fees to the petitioner.

6 Rule is accordingly made absolute.

7 There shall be no order as to costs.

(K.K. SONAWANE, J)

(R.M.BORDE, J)