

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

WRIT PETITION NO. 9735 OF 2016

Prashant S/o Balaji Turpatwad,
Age : 20 Years, Occu. : Education,
R/o Rajapur, Tq. Dharmabad,
Dist. Nanded.

.. Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Medical Education and Drugs
Department, Mantralaya,
Mumbai.
2. The Dean,
Shri Vasant Rao Naik Government
Medical College, Yavatmal,
Dist. Yavatmal.
3. The Registrar,
Maharashtra University of Health
Sciences, Dindori Road,
Mhasrul/Nashik, Dist. Nashik.
4. The Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad,
through its Dy. Director (R),
Aurangabad.

.. Respondents

Shri Sunil V. Vibhute, Advocate for the Petitioner.

Shri S. Y. Mahajan, A.G.P. for Respondent Nos. 1, 2 and 4.

Shri Chandrakant A. Jadhav, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.
DATE : 22ND SEPTEMBER, 2016.**

ORAL JUDGMENT (*Per S. V. Gangapurwala, J.*) :-

. Rule. Rule made returnable forthwith. With the consent of parties taken up for final hearing.

2. Mr. Vibhute, the learned counsel for the petitioner submits that, validation proceedings in respect of tribe claim of the petitioner is pending with the Committee. This Court vide order dated 06th October, 2015 in Writ Petition No. 9971 of 2015 had directed the Committee to decide validation proceedings within a period of one year. The said period has not yet lapsed. The learned counsel submits that, inspite of said fact, the respondent No. 3/university has withheld the result of the petitioner's Ist year M.B.B.S. course only on the ground that, validation proceedings are pending.

3. The learned A. G. P. for respondent Nos. 1, 2 and 4 and Mr. Jadhav, the learned counsel for the respondent No. 3 submit that, as validity certificate is not submitted, the result has been rightly withheld.

4. To get the validation proceedings decided within a stipulated period is not in the hands of a litigant. This Court had

already directed the Committee to decide the validation proceedings within a period of one year from 06.10.2015 in Writ Petition No. 9971 of 2015.

5. Considering the above, we pass following order.

6. The result of the petitioner shall not be withhold only on the ground that, validation proceedings are pending. Of course, the parties would be governed by the judgment delivered by the Committee in validation proceedings.

7. Rule accordingly is made absolute in above terms. No costs.

Sd/-

[K. L. WADANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]