

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

WRIT PETITION NO. 9777 OF 2016

Sudarshan Kailas Thakur .. Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee Nandurbar through its
Member Secretary and others .. Respondents

WITH

WRIT PETITION NO. 9778 OF 2016

Nihar Sayyed Aarif .. Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee Nandurbar through its
Member Secretary and others .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioners in both matters.

Shri S. B. Pulkundwar, A.G.P. for the Respondent No. 1 in both matters.

Shri Y. B. Bolkar, Advocate h/f Shri A. B. Girase, Advocate for the Respondent No. 2 in both matters.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 22ND SEPTEMBER, 2016.

PER COURT :

. Mr. Phatale, the learned counsel for petitioners states that, the petitioners have taken admission in Engineering course with the respondent No. 3 college from the reserved category. The

caste claims of petitioners are referred to the respondent No. 1/Committee for validation. The same are pending for more than one and half years. The committee has not taken any decision on the same. The petitioners have appeared for the examination, but the university has withheld their results of the examination only on the ground validation proceedings are pending.

2. Mr. Bolkar, the learned counsel appears for the respondent No. 2/university and submits that, as the validity certificates are not submitted, the result is rightly withheld.

3. To get the proceedings decided within a stipulated period is not in the hands of a litigant. The proceedings seeking validity to their caste certificates are pending with the committee for more than one and half years. It is for the committee to decide said proceedings expeditiously. For that petitioners cannot be faulted with.

4. In the result we pass following order.

5. The respondent No. 1/Committee shall decide the caste claims of petitioners i. e. validation proceedings expeditiously and preferably within a period of one (01) year from today. The petitioners shall co-operate in expeditious disposal of said proceedings. The respondent No. 2/university shall not withhold

the result of petitioners of the examination, nor shall refrain the petitioners from prosecuting further studies only on the ground that validation proceedings are pending. Of course, the respondents can take further action against the petitioners on the basis of judgment delivered by the respondent No. 1/Committee in validation proceedings. With these observations, the writ petitions are disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 16