

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

WRIT PETITION NO. 12261 OF 2015

Bindu D/o Ganpat Boinwad,
Age : 20 Years, Occu. : Student,
R/o. : Omsai Niwas, Maniknagar,
Nanded, Tq. Dist. : Nanded. .. Petitioner

Versus

1. The State of Maharashtra,
Through its Principal Secretary,
Health Department, Mantralaya,
Mumbai-32
2. The Maharashtra University of Health
Sciences, Nashik, Dindori Road,
Mhasrool, Nashi 422004.
3. The Dean,
Mahatma Gandhi Mission's
Dental College and Hospital,
Sion Panvel Expressway, Sector-1,
Kamothe, Navi Mumbai 410 209.
4. The Scheduled Tribe Caste Scrutiny
/Verification Committee, Aurangabad. .. Respondents

Shri Omgashad B. Boinwad, Advocate for the Petitioner.
Shri A. G. Magre, A. G. P. for Respondent Nos. 1 and 4.
Shri Shailendra S. Gangakhedkar, Advocate for the Respondent
No. 2.
Shri S. K. Kadam, Advocate h/f Shri V. S. Kadam, Advocate for
the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.
DATE : 17TH MARCH, 2016.**

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

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

2. The validation proceedings in respect of tribe claim of the petitioner is pending with the respondent No. 4/Committee since September, 2013. According to the petitioner, the same is not yet decided. However, the respondent Nos. 2 and 3 are not allowing the petitioner to appear for the examination.

3. This Court on 18th December, 2015 had passed an order that no adverse action shall be taken against the petitioner on the ground of failure to submit validity certificate and also directed respondents to provisionally accept the application for eligibility.

4. Considering the above we pass the following order.

5. The respondent No. 4 /Committee shall decide the validation proceedings in respect of tribe claim of the petitioner expeditiously and preferably within a period of nine (9) months from today. The petitioner shall cooperate in expeditious

disposal of the said proceedings. The petitioner shall appear before the Committee on 05th April, 2016. Till the validation proceedings are pending the respondents shall not refuse to accept the examination form of the petitioner, nor shall refrain the petitioner from prosecuting further studies only on the ground that, validation proceedings are pending. The respondent No. 3/College and the respondent No. 2/University can take further course of action in tune with the judgment delivered by the Committee in the validation proceedings.

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

Sd/-

[A. I. S. CHEEMA, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/March 16