

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12180 OF 2016

Rushikesh s/o Laxman Kshirsagar,
Age : 20 years, Occu. Education,
R/o Yelam Ghat, Taluka and
District Beed

PETITIONER

VERSUS

1. Director of Technical Education,
Maharashtra State, Mumbai,
3, Mahapalika Marg,
Mumbai – 400 001
2. Government College of
Engineering, Aurangabad,
through its Principal
3. Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad,
through its Member Secretary

RESPONDENTS

AND

WRIT PETITION NO. 12181 OF 2016

Madhavi d/o Gangadhar Kshirsagar,
Age : 21 years, Occu. Education,
R/o Yelam Ghat, Taluka and
District Beed

PETITIONER

VERSUS

1. Director of Technical Education,
Maharashtra State, Mumbai,
3, Mahapalika Marg,
Mumbai – 400 001
2. Government College of
Engineering, Aurangabad,
through its Principal

3. Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad,
through its Member Secretary

RESPONDENTS

Mr. Sagar S. Phatale, Advocate for the Petitioner
in both Writ Petitions

Mr. A.A. Jagatkar and Mr. Y.G. Gujarathi, A.G.Ps.
for the respondent/State

**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.**

DATE : 8th December, 2016

ORAL JUDGMENT (PER : R.M. BORDE, J.) :

Heard.

2. Rule. Rule made returnable forthwith. With the consent of the learned counsel for the parties, the petitions are taken up for final hearing and disposal at the stage of admission.

3. The petitioners state and they are prosecuting their studies in Bachelor of Engineering (Electrical) and Bachelor of Engineering (Electronics and Telecommunication), respectively in respondent No. 2 college and as a result of their failure to submit the caste validity certificate, they have apprehension of

adverse action of cancellation of their admission, prohibition from appearance for the examination and denial to declare result, at instance of respondent no.2. Such an action can be taken depending upon the decision of respondent No.2 - Scrutiny Committee in respect of the caste certificate verification proposals of the petitioners pending with it, however, in any case not during pendency of claim.

4. These petitions can be disposed of by issuing directions to respondent No. 3 - Scrutiny Committee to take decision on the caste certificate verification proposals of the petitioners, pending with it, as expeditiously as possible, preferably within a period of eight months from today and it is accordingly directed. The respondent No. 2 College shall not take any coercive action against the petitioners on the ground of their failure to submit the caste validity certificate/s.

5. Rule is made absolute in the above terms. There shall be no order as to costs.

[SANGITRAO S. PATIL]
JUDGE

[R.M. BORDE]
JUDGE