

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12187 OF 2015
WITH
CIVIL APPLICATION NO.2819 OF 2016

Tirupati s/o Lahu Boyane,
Age-19 years, Occu:Student,
R/o-Kanvha, Tq. & Dist-Latur

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through Principal Secretary,
Department of Higher and Technical
Education, Mantralaya, Mumbai-32,
- 2) The Scheduled Tribe Certificate
Scrutiny Committee,
Through its Vice Chairman, Aurangabad,
- 3) The Pune University,
Through its Registrar,
- 4) MIT College of Engineering,
S. No.124, Ex Serviceman Colony,
Paud Road, Kothrud - 411038,
Pune, through its Principal,
- 5) YSPS Polytechnic College,
Babhalgaon, Dist-Latur,
Through its Principal.

...RESPONDENTS

...
Mr.Suresh M. Kulkarni Advocate for Petitioner.
Mr.A.B. Girase, G.P. for Resp. Nos. 1 & 2.
Mr. V.P. Latange Advocate for Resp. No.3.
Mr.S.G. Rudrawar Advocate for Resp. No.5.
...

WITH

WRIT PETITION NO.12184 OF 2015

Sonali d/o Lahu Boyane,
Age-17 years, Occu:Student,
Through her Father
Lahu Raghunath Boyane
R/o-Kanvha, Tq. & Dist-Latur

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through Principal Secretary,
Higher Education,
Mantralaya, Mumbai-32,
- 2) The Scheduled Tribe Certificate
Scrutiny Committee,
Through its Vice Chairman, Aurangabad,
- 3) The SRTR University at Nanded,
Through its Registrar,
- 4) Channa Basveshwar College of Pharmacy,
Through its Principal,
Kavha Road, Basveshwar Chowk,
Latur-413512.

...RESPONDENTS

...

Mr.Suresh M. Kulkarni Advocate for Petitioner.

Mr.A.B. Girase, G.P. for Resp. Nos. 1 & 2.

Mr. V.P. Latange Advocate for Resp. No.3.

Mr.S.G. Rudrawar Advocate for Resp. No.4.

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**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 8TH MARCH, 2016

ORDER :

1. Mr. Kulkarni, learned counsel for Petitioners states that Petitioner in Writ Petition No.12187 of 2016 is taking education in IInd year Engineering and today is the last date for submission of examination form. The counsel submits that the Respondents be directed to accept examination form.

2. Mr. Latange, learned counsel appears for Respondent No.3. Mr. Radrawar, learned counsel appears for Respondent No.5. In Writ Petition No.12187 of 2015, no relief is claimed against Respondent No.5.

3. It is submitted that validation proceedings are pending, in both these Petitions, since September 2015, however the Petitioners are not being allowed to prosecute their further studies in absence of validation proceedings.

4. Respondent No.4, in both the Petitions are served, however none appears for Respondent No.4.

5. Considering the aforesaid conspectus of the matter, we pass the following order:-

O R D E R

(I) The Respondent No.2 Scrutiny Committee shall decide the validation proceedings in respect of the tribe claim of the Petitioners expeditiously, on its own merits, preferably within one year.

The Petitioners shall co-operate in expeditious disposal of the said proceedings before the Committee.

(II) The Petitioners shall appear before the Respondent No.2 Scrutiny Committee on 31st March 2016.

(III) The Respondents shall not refuse to accept the examination forms of the Petitioners only on the ground that validation proceedings are pending. In case, if the Petitioners are otherwise eligible, then Respondent No.4 College and the University shall accept the examination forms of the Petitioners and shall not refrain the Petitioners from prosecuting further studies only on the ground that validation proceedings are pending.

(IV) The Writ Petitions are accordingly disposed of. No costs.

. The parties to act upon authenticated copy of this order.

. In view of disposal of Writ Petition, Civil Application No.2819 OF 2016 stands disposed of.

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

asb/MAR16

[S.V. GANGAPURWALA, J.]