

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.338 OF 2016

Shivhar s/o Kondibharao Janakwade

Petitioner

Versus

The State of Maharashtra & another

Respondents

Mr.S.N.Janakwade, advocate for the petitioner.

Mr.S.K.Kadam, A.G.P. for Respondents.

CORAM : R.M.BORDE &

A.I.S.CHEEMA, JJ.

DATE : 14th January, 2016

PER COURT:

1 The grievance of the petitioner, in the instant petition, is against the Scrutiny Committee in respect of its failure to accept online proposal tendered by the petitioner for verification of caste certificate issued in his favour on 22.02.2011.

2 Petitioner contends that he has completed M.B.B.S. degree course in the year 2012 and had secured admission to the aforesaid professional course as a candidate belonging to Other Backward Class category. The petitioner further contends that, for pursuing Post Graduation studies, he needs validity certificate issued by the Scrutiny Committee. The petitioner, therefore, submitted online application for verification to the Scrutiny Committee. However, the Scrutiny Committee has raised certain objections. One of the objections is that the proposal does not bear signature of Principal of the College and that the candidate has not tendered *bona fide* certificate.

3 Since the petitioner needs validity certificate for pursuing further studies and that he has completed his M.B.B.S. degree course

and already left the College, it is not possible for him to obtain signature of Principal of the College as also the *bona fide* certificate from the college. An applicant may need validation certificate for various purposes including for pursuing further studies, for taking benefits of any Government scheme, for securing service benefits and also for election purpose. The insistence by the Scrutiny Committee to obtain signature of Principal of the College and to submit *bona fide* certificate, in the instant matter, is not reasonable.

4 In the facts of the case, we direct the Scrutiny Committee to accept the online proposal tendered by the petitioner and to proceed to verify same in accordance with provisions of law. Petitioner shall comply with necessary procedural formalities, including submission of hard copy of the proposal or proposal in physical form with the Scrutiny Committee within a period of four weeks from today. The Scrutiny Committee, after observance of procedure prescribed under relevant Rules, shall take decision on the proposal for verification of caste certificate issued to the petitioner, as expeditiously as possible, preferably within a period of six months from today.

5 With the directions as above, writ petition stands disposed of.

A.I.S.CHEEMA
JUDGE

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R.M.BORDE
JUDGE