

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12461 OF 2016

Shri Vishal Jagannath Bhamre .. Petitioner
Vs.
State of Maharashtra and ors. .. Respondents

Mr.Vikram Chavan a/w Ms.Sheetal Thakur, for the Petitioner.
Mr.S.B.Kalel, AGP for State.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 26th OCTOBER, 2016**

P.C. :

. Not on board. Upon mentioning taken on production board.

2. Parties through their Counsel.

3. The grievance of the petitioner is that though his caste validation claim is pending before respondent No.2 – Scrutiny Committee, but in the absence of caste validity certificate, 3rd respondent – Institute is not permitting the petitioner to pursue and continue with his educational studies and is also not permitting to appear for the 4th year B.E.

Computer Engineering Course.

4. Having considered the submissions made by the learned Counsel for the parties and having gone through the order passed by the **Division Bench of this Court (Nagpur Bench) in the case of Bhagwan Nannaware Vs. State of Maharashtra in Public Interest Litigation No. 63 of 2014 dated 24th December, 2014**, we are of the view that for no default of the petitioner, the petitioner cannot be made to suffer as in the absence of the decision by the Caste Validation Committee, the petitioner cannot be expected to submit the certificate as desired by respondent No.3 – Institute. In the circumstances, we dispose of this Petition by directing respondent No.2 – Scrutiny Committee to decide the petitioner's caste validation claim as expeditiously as possible but not later than 3 months from the date of the receipt of copy of this order. Till the petitioner's caste validity certificate is issued, 3rd respondent shall permit the petitioner to attend the class and to appear for the 4th year B.E. Computer Engineering Course.

However, the petitioner shall not be entitled to claim any equity on the basis of this order and the petitioner's result shall not be declared till the matter is finally adjudicated by the Caste Validation Committee. The petitioner to appear before the Committee on 30/11/2016 at 11.00 a.m.

5. The Petition is disposed of.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)