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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10232 OF 2016

Dilipkumar Bhagwantrao Baviskar & Ors.

...Petitioners

Vs.

The State of Maharashtra & Ors.

...Respondents

Mr. Vikram V. Pai, Advocate for the Petitioners

Mr. Vikas Mali, AGP for the State

CORAM : SHANTANU S. KEMKAR &

M.S. KARNIK, JJ.

DATED : 6TH SEPTEMBER, 2016

P.C. :

Parties through their Counsel. Leave to amend forthwith is granted. The grievance of the Petitioner No.2 Anuja Dilip Baviskar is that though she is having caste certificate indicating therein that she belongs to Hindu Mahadev Koli (Scheduled Tribes). However, since the Petitioner No.2 has not got the said Caste Certificate validated from the Caste Validity Verification Committee. The Petitioner No.2's results for getting admissions in the First Year Medical Course is not being declared. However, she has been permitted to appear in the Counselling Session. According to the Petitioner No.2

her matter has been referred to the Caste Validity and Verification Committee by Nirmala Memorial Foundation Junior College of Commerce & Science on 23rd July, 2016 where she had studied HSC.

2. Mr. Mali, learned AGP appearing for the Respondents submit that in case the Petitioner No.2's matter has reached to the Caste Validity Committee, in pursuance to the correspondence made by the Nirmala Memorial Foundation Junior College of Commerce & Science the Committee shall consider and take appropriate decision on the Petitioner No.2's prayer for verification of the Caste Certificate as expeditiously as possible preferably within 4 months.

3. In view of the aforesaid submission made by the learned AGP we dispose of this Petition by directing the Respondent No.2 to allot the Petitioner No.2 seat as per her entitlement without insisting upon the caste Validity Certificate. However, in case the Petitioner's caste certificate is not validated by the Committee the Petitioner No.2 shall not claim any equity for

getting her admission on the basis of this order and the Petitioner No.2's caste category will be on the basis of the outcome of the decision of the Committee. With the aforesaid observations this Petition stands disposed of.

(M.S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)