

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAW NO. 437/2016 IN WRIT PETITION NO. 3091 OF 2012

(Minal d/o Shivkumar Pali vs. The State of Maharashtra thr. Secretary. D-Noted, N.T., SBC
Welfare Department & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
MARCH 18, 2016.**

Shri A.M. Sudame, learned counsel for the petitioner, Ms. Rane, learned AGP for respondent Nos. 1 & 2 and Shri Mokadam, learned counsel for respondent No. 4, for some time.

Nobody appears for respondent No. 3.

The petitioner – student, whose caste claim has been invalidated by Respondent No. 2 – Committee, has filed Writ Petition No. 3091 of 2012. It is admitted for final hearing and on the strength of interim orders, she claims that she has completed her education.

The direction is sought to Respondent No. 4 – University to release the final mark sheet and the degree in favour of the petitioner.

Shri Sudame, learned counsel submits that earlier CAW No. 1258 of 2015 was filed seeking similar relief against Respondent No. 3 – College. However, when the College informed that the documents are in custody of Respondent No. 4 – University, present Civil Application has been filed.

Shri Mokadam, learned counsel for respondent No. 4 – University is opposing the application. According to him, until and unless the petitioner is enrolled as a student with the University, the documents cannot be released.

Shri Sudame, learned counsel points out that as the education is completed, the petitioner has to apply for employment and, therefore, the documents are required otherwise irreparable loss will be caused to the applicant/ petitioner/ student.

In these circumstances, we direct Respondent No. 4 – University to release the documents, expressly mentioning upon it that the documents are released as per the orders of this Court passed in Civil Application (W) 437 of 2016 passed today and subject to adjudication of Writ Petition No. 3091 of 2012.

Civil Application is thus partly allowed and disposed of. However, in the facts and circumstances of the case, there shall be no order as to costs.

JUDGE

JUDGE

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