

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

CIVIL APPLICATION W. NO.697/2016

IN

WRIT PETITION NO.3380/2012

Saniya Nazir Shah

...Versus...

The Divisional Caste Scrutiny Committee No.1, Amravati Division, Amravati,
Tahsil & District Amravati and others

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

Court's or Judge's Orders.

Shri A.M. Ghare, Advocate for petitioner
Mrs. R.A. Deshpande, AGP for respondent no.1
Shri J.B. Kasat, Advocate for respondent no.3

CORAM : SMT. VASANTI A. NAIK AND
V. M. DESHPANDE, JJ.

DATE : 29.03.2016.

By this civil application, the applicant – petitioner seeks a direction to the respondent no.3 – University to issue the provisional degree certificate to the petitioner at the earliest.

It is stated on behalf of the applicant that though this Court had by an order dated 8.7.2014 protected the education of the petitioner – applicant during the pendency of the writ petition and the University was directed to declare the results of the petitioner, the University has not issued the provisional degree certificate to the petitioner. It is stated that the petitioner is desirous of applying for a job and in the absence of a provisional degree certificate, he is not able to participate in the selection

process for appointment. It is stated on behalf of the applicant that the applicant has paid the fees that are liable to be paid by the students admitted in the open category.

In the circumstances of the case, we direct the respondent – University to issue the provisional decree certificate in favour of the petitioner at the earliest. The provisional degree certificate should be supplied to the petitioner within a period of one week. If the petitioner has not paid the fees that are payable by the open category students, the petitioner should pay the fees to the College. The petitioner would however be entitled to reimburse the said fees, if the caste claim of the petitioner is validated, by the orders of this Court.

The civil application is allowed in the aforesaid terms and disposed of.

JUDGE

JUDGE

Wadkar