

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3410/2016

(SHUBHANGI SAYARAM DYAVARWAR (DEODHAR) **VERSUS** REGISTRAR, MAHARASHTRA UNIVERSITY
OF HEALTH SCIENCES, NASIK & ANOTHER)

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

Court's or Judge's orders

Shri V.N. Patre, counsel for the petitioner.
Shri Kiran Malokar, counsel for the R-1.
Shri J.Y. Ghurde, A.G.P. for the R-2.

CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : JUNE 21, 2016.

Leave to amend is granted.

The amendment should be carried out forthwith.

By this petition, the petitioner seeks a direction to the respondent no.1 to consider the claim of the petitioner for admission to a medical course from the Special Backward Classes Category.

It is the case of the petitioner that the caste claim of the petitioner is pending before the Scrutiny Committee for verification and the Scrutiny Committee has not decided the same, till date. It is stated that the petitioner is desirous of seeking admission in the medical course, on a seat reserved for the Special Backward Classes but, the respondent no.1 is not permitting the petitioner to participate in the admission process in the absence of the caste validity certificate. It is stated that in the circumstances of the case, a direction may be issued against the Scrutiny Committee to decide the caste claim of the petitioner, as expeditiously as possible.

Shri Ghurde, the learned Assistant Government Pleader appearing on behalf of the respondent nos.2 and 3, states on instructions from the respondent no.3 that the candidates like the petitioner, who do not possess the caste validity certificate are permitted to participate in the admission process only on the

condition that they tender an undertaking before the respondent no.3 that his/her caste claim is pending before the Scrutiny Committee and the caste validity certificate would be submitted to the respondent no.3, within a period of three months. It is stated that if the petitioner furnishes the aforesaid undertaking, the claim of the petitioner for admission could be considered from the Special Backward Classes Category.

In view of the aforesaid statement, the grievance of the petitioner should stand redressed.

By accepting the statement made on behalf of the respondent no.3, that would be binding on the respondent no.3, we dispose of the writ petition with a direction to the respondent no.2-Scrutiny Committee to decide the caste claim of the petitioner, as expeditiously as possible so that the petitioner could be able to submit the caste validity certificate, as per the undertaking.

Order accordingly. No costs.

Steno copy of the order is granted to the parties, on request.

JUDGE

JUDGE

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