

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

WRIT PETITION NO. 285 OF 2016

Ku. Ekta d/o Laxman Nannaware

-VS-

M.I.T.College of Engineer Pune, through its Principal and others

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

Court's or Judge's Orders.

Mr. R.S.Parsodkar,, counsel for the petitioner.
Mr. R.N.Ghuge, counsel for the respondent Nos.1 and 2.
Ms N.P.Mehta, AGP for the respondent No.3.

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

DATE : 14.07.2016.

By this writ petition, the petitioner seeks a direction against the respondent No.3-Scrutiny Committee to decide the caste claim of the petitioner within a time frame. The petitioner seeks a direction against the respondent Nos.1 and 2 to issue the mark-sheets and the other certificates to the petitioner on the completion of B.E.Degree Course.

The petitioner was admitted in the respondent No.1-College on a seat reserved for the Scheduled Tribes. The caste claim of the petitioner is referred to the Scrutiny Committee for verification. The Scrutiny Committee has not verified the caste claim of the petitioner, till date. Since the caste claim was not verified and the petitioner has not produced the caste validity certificate, the respondent Nos.1 and 2 refused to give the mark-sheets, degree certificate and the other certificates that are in possession of the respondent No.1-College, to the petitioner. In the aforesaid set of facts, the petitioner has sought the above relief.

Shri R. S. Parsodkar, the learned counsel for the petitioner, has tendered a pursis in the Court today. The same is accepted on record. It is stated in the pursis that though the petitioner

was admitted on a seat reserved for the Scheduled Tribes, the petitioner has paid the entire fees that are liable to be paid by regular-Open Category student. Certain receipts are annexed to the pursis to substantiate the submission. It is stated that since the petitioner was not at fault in not producing the caste validity certificate in the absence of a decision on her caste claim, it would be necessary to direct the respondent Nos.1 to hand over the necessary documents to the petitioner, as the petitioner has paid the regular fees.

Ms N. P. Mehta, the learned Assistant Government Pleader appearing on behalf of the respondent No.3-Scrutiny Committee, states on instructions that the caste claim of the petitioner is pending before the Scrutiny Committee and the same would be decided as early as possible.

In view of the aforesaid, we dispose of the writ petition by directing the Scrutiny Committee to decide the caste claim of the petitioner within one year. Since it is claimed by the petitioner that the entire fees have been paid to the respondent No.1-College, we direct the respondent No.1 to return the original documents to the petitioner within two weeks. So also, the respondent No.2 should supply the mark-sheets and degree certificates, as admissible, to the petitioner within the same time.

Order accordingly. No costs.

JUDGE

JUDGE

C E R T I F I C A T E

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : G.S.Khunte,
P.A.to Hon'ble Judge

Uploaded on : 19/07/2016