

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

70 WRIT PETITION NO. 3025 OF 2017

MD OWAIS MD ANIS TUMBI  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Suresh M. Kulkarni  
AGP for Respondents State: Mr. M. B. Bharaswadkar  
Advocate for respondent No.3: Mr. K. C. Sant

**CORAM : S. V. GANGAPURWALA &  
K. L. WADANE, JJ.**

**DATE : 7th March, 2017**

**ORDER:**

1. Mr. Kulkarni, the learned counsel submits that validation proceedings in respect of caste claim of the petitioner is pending with the committee for six months. The same is not yet decided. However, respondent No.4 College has issued a notice stating that examination form of the petitioner would not be accepted in absence of the validity certificate.

2. We have heard learned AGP for respondent Nos. 1, 2 and 4 and Mr. Sant, the learned Counsel for respondent No.3.

3. To get the validation proceedings decided within a stipulated period is not in the hands of litigants.

4. Considering the above, we pass following order:

**O R D E R**

- i. Respondent No.2. Committee shall decide the validation proceedings in respect of caste claim of the petitioner expeditiously, preferably within nine months.
  - ii. The petitioner shall cooperate in expeditious disposal of the said proceedings. The petitioner shall appear before the Committee on 29.03.2017.
  - iii. Till the validation proceedings are decided, respondent Nos.3 and 4 shall not take any adverse action against the petitioner nor shall refrain the petitioner from appearing for the examinations only on the ground that validation proceedings are pending. Of course, respondent Nos.3 and 4 can take further course of action depending upon the judgment that may be delivered by the Committee in the validation proceedings.
5. Writ petition is accordingly disposed of. No costs.

**(K. L. WADANE, J.)****(S. V. GANGAPURWALA, J. )**

JPC