

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

WRIT PETITION NO. 3370 OF 2017

**PRIYANKA LAXMAN BOINWAD, THROUGH FATHER - LAXMANRAO
SHANKARRAO BOINWAD**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr.O.B.Boinwad, Advocate for petitioner
Mr.M.B.Bharaswadkar,AGP for respondent no.1

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**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : MARCH 14, 2017

PER COURT :

Heard.

2. The learned Counsel for the petitioner submits that the validation proceedings in respect of the tribe claim of the petitioner is pending since May, 2015. He submits that the vigilance enquiry in the matter has already been conducted. Respondent nos.2 and 3 are insisting for tribe validation certificate and are not allowing the petitioner to fill-in the examination form for first year B.A.M.S. examination.

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

4. In view of the above, we pass following order :-

(i) As the vigilance enquiry has already been conducted, respondent no.4 shall decide the validation proceedings in respect of the petitioner as expeditiously as possible and preferably, within a period of nine months from today. The petitioner shall appear before respondent no.4 – Committee on 03.04.2017.

(ii) Respondent nos.2 and 3 shall not refuse to accept the examination form of the petitioner and shall not prevent her from prosecuting further studies only on the ground that that validation proceedings are pending.

(iii) Respondent nos.2 and 3 can take further action depending upon the judgment that may be delivered in the validation proceedings.

(iv) With these directions, the Writ Petition stands disposed of. No costs.

[SANGITRAO S. PATIL, J.] [S.V. GANGAPURWALA, J.]

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