IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3505 OF 2017
(Vivek S/o Vithalrao Salunke Vs. The State of Maharashtra and others)
AND
WRIT PETITION NO.3506 OF 2017
(Nisha D/o Shankar Balshetwar Vs. The State of Maharashtra and others)
AND
WRIT PETITION NO.3507 OF 2017
(Pranali D/o Tatyarao Kanle Vs. The State of Maharashtra and others)
AND
WRIT PETITIION NO.3508 OF 2017
(Ashwini Gangayya Annamwar Vs. The State of Maharashtra and others)
AND
WRIT PETITION NO. 3509 OF 2017
(Krushna Raghunath Tadewad Vs. The State of Maharashtra and others)
AND
WRIT PETITION NO. 3510 OF 2017
(Seeta D/o Gyanoba Bachewad Vs. The State of Maharashtra and others)

Mr. Sunil M. Vibhute, Advocate for the Petitioners in all Writ Petitions
Mr. P.S. Patil, A.G.P. for the respondent/State
Mr. S.S. Gangakhedkar, Advocate for respondent No.4 in W.P.Nos.3505/2017 and 3510/2017
Mr. S.B. Bhosale, Advocate for respondent No.4 in W.P.Nos.3506/2017, 3507/2017
Mr. A.S. Bayas, Advocate for respondent No.4 in W.P.Nos.3508/2017 and 3509/2017

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

DATE : 16th MARCH, 2017

ORAL ORDER :

Heard.

2. The learned A.G.P. accepts notice for the State, the Scheduled Tribe Verification Committee and the Government Medical College. Learned counsel Mr.S.S. Gangakhedkar, Mr. S.B.Bhosale and Mr. A.S. Bayas, accept notice on behalf of Maharashtra University Health Sciences, Nasik.

3. The contention of the petitioners in all these petitions is that the validation proceedings in respect of their tribe claim is pending with the Tribe Verification Committee and/or the steps are taken to get the corrected tribe certificates and place it before the Committee. However, respondent Nos. 3 and 4 are not accepting the examination forms of the petitioners.

4. It is for the Tribe Verification Committee to decide the validation proceedings. In the matters where the validation proceedings are pending, the Committee shall decide those proceedings expeditiously preferably within nine months. In the matters where the corrected tribe certificates is to be obtained, it shall be obtained within two weeks and the validation proceedings

shall be decided accordingly.

5. Respondent Nos.3 and 4 shall not refuse to accept the examination forms of the petitioners and shall not restrain them from prosecuting their further studies, only on the ground that the validation certificates are not submitted. Offcourse, respondent Nos. 3 and 4 may take further course of action depending upon the judgment/s that may be delivered by the Tribe Verification Committee in the validation proceedings.

6. The petitioners may give an undertaking to the respective colleges that in case their tribe claim is invalidated, then they will pay the full fees as an open category candidate. Till the validity is decided, the respondent-college shall not insist the petitioners for payment of full fees that of an open category candidate.

7. The Writ Petitions stand disposed of with the above directions. No costs.

[**SANGITRAO S. PATIL**]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

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