

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3502 OF 2017
(Nagesh s/o Balaji More Vs. The State of Maharashtra
and others)

Mr. O.B. Boinwad, Advocate for the Petitioner
Mr. B.A. Shinde, A.G.P. for the respondent/State
Mr. S.B. Bhosale, Advocate for respondent No. 2

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

DATE : 16th MARCH, 2017

ORAL ORDER :

Heard.

2. The learned counsel for the petitioner submits that the validation proceedings in respect of tribe claim of the petitioner is pending with respondent No. 4 Committee since October, 2016. Respondent Nos. 2 and 3 are not accepting the examination form on the ground that the validity certificate is not submitted by the petitioner.

3. The learned A.G.P. accepts notice for respondent Nos. 1 and 4. Mr. S.B. Bhosale, the learned counsel accepts notice on behalf of respondent No. 2 – University.

4. To get the validation proceedings in respect of tribe claim decided within stipulated period is not in the hands of the litigant.

5. Respondent No. 4 Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously, preferably within eight months. The petitioner shall appear before the Committee on 4th April, 2017. Respondent Nos.2 and 3 shall not refuse to accept the examination form of the petitioner, nor shall they restrain the petitioner from prosecuting his further studies only on the ground that the validity certificate is not submitted. Respondent Nos. 2 and 3 may take further course of action depending upon the judgment that may be delivered by respondent No. 4 Committee in the validation proceedings.

6. With the above directions, the Writ Petition is disposed of. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE