

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12639 OF 2017

Sayali Sudhakar Garud,
Age 18 years, occupation student,
R/o Sant Dasbhandu Nagar,
Near Deshmukh Hotel, Parbhani. ...Petitioner

Versus

- 1) The Joint Commissioner,
Caste Scrutiny Committee,
Aurangabad.
- 2) The Principal,
Aditya Dental College,
Sarda estate, Pimpalner road,
Beed.
- 3) Maharashtra University of health Science
Regional Centre,
Amkhas Ground, Near Cancer Hospital,
Aurangabad. ...Respondents

Mr. V. V. Kabade, Advocate for petitioner
Mr. P. S. Patil, AGP for respondent No.1/ State

**CORAM : S. V. GANGAPURWALA &
SMT. VIBHA KANKANWADI. JJ.**
DATE : 31-10-2017

PER COURT :

1. The petitioner seeks directions against the respondent to decide

the validation proceedings in respect of his caste claim expeditiously and the provisional admission given to the petitioner be continued till the decision of the caste validity certificate.

2. The learned AGP submits that, such admissions of the candidates are required to be cancelled in view of the directions of the Apex Court in SLP Nos. 20210- 20224 of 2017, dated 6th September, 2017.

3. The Apex Court has observed as under,

“I. As per the order of Hon'ble Supreme Court of India, admission granted to all such candidates listed only on the basis of an undertaking and without a caste validity certificate will be cancelled, and

II. All such candidates without Caste Validity Certificate will be treated as General category candidate in the next selection process if found otherwise eligible.

The above points I and II are subject to final order of Hon'ble Supreme Court in the aforesaid SLP.

III. After Cancellation of admission given to SC, ST, VJ, NT-1, NT-2, NT-3, OBC only on the basis of undertaking, vacant seats will be filled by candidates from the same category having Caste Validity Certificate on 19/08/2017.

IV. Names of all non selected candidates without validity (CVC) will also be deleted from the NEET- UG-2017 Merit List as

category candidates and they will be considered as general category candidates if found otherwise eligible.”

4. As the validation proceedings are not yet decided and today is the last date for giving admissions, the relief claimed by the petitioner for continuing the admission cannot be considered. However, the committee shall decide the validation proceedings expeditiously, preferably within period of four (4) months from today. Petitioner shall co-operate the committee for expeditious disposal of the proceedings.

5. Writ petition accordingly disposed of.

6. The petitioner shall appear before committee on 15th November, 2017.

[SMT. VIBHA KANKANWADI]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

vjg/-.