

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

WRIT PETITION NO. 11629 OF 2016

Amar S/o Rajendra Mudiraj .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vighute, Advocate for the Petitioner.
Ms. P. V. Diggikar, A.G.P. for Respondent Nos. 1 and 5.
Shri S. S. Thombre, Advocate for Respondent Nos. 2 to 4.

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

DATE : 15TH FEBRUARY, 2017.

PER COURT :

. Mr. Vibhute, the learned counsel for the petitioner states that, the petitioner is working as Assistant Professor at M. I. T. Engineering College, Aurangabad. The appointment of the petitioner is from open category. The petitioner is pursuing his Ph.D. in the subject of Computer Application and Faculty of Management Science and the registration of the Ph.D of the petitioner is from the Scheduled Tribe category. The learned counsel submits that, earlier petitioner was issued with tribe certificate of Koli Mahadev (Scheduled Tribe) with nomenclature of Mahadev Koli. The said certificate thereafter is corrected and fresh proposal is submitted for validation in November 2016. The

same is pending. The learned counsel submits that, the petitioner has already submitted his thesis and only oral exam is to be conducted. The petitioner undertakes that, he will not use his Ph.D degree any where.

2. Mr. Thombre, the learned counsel for respondent Nos. 2 to 4 submits that, the petitioner has registered himself from S.T. category. The moment petitioner submits his validity, the university would take the oral exam of the petitioner and proceed further.

3. We have also heard, the learned Assistant Government Pleader for respondent Nos. 1 and 2.

4. It appears that, the validation proceedings is pending since November 2016 and the petitioner has registered himself for Ph.D from S.T. category.

5. Considering the aforesaid aspects of the matter, we pass following order.

6. The respondent No. 5/Scheduled Tribe Certificate Verification Committee, Aurangabad shall decide the validation proceedings in respect of tribe claim of the petitioner expeditiously and preferably within a period of seven (07) months

from today. The petitioner shall appear before the Committee on 01.03.2017. The petitioner shall co-operate in expeditious disposal of said proceedings.

7. On petitioner getting the validity certificate, the university shall immediately proceed further with the oral exam, so also further steps to be undertaken for the same. The writ petition accordingly is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 17