

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

BENCH AT AURANGABAD.

WRIT PETITION NO.13240 OF 2017

Pranjal D/o Prakash Niware ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents

...

Mr.D.K.Rajput, advocate for the petitioner.
Mr.S.G.Karlekar, A.G.P.for the State.

...

**CORAM : S.V.GANGAPURWALA AND
S.M.GAVHANE, JJ.**

Date : 14.11.2017.

PER COURT :

1. Leave to correct nomenclature of Respondent No.3.
2. Issue notice to the Respondents.
3. Learned A.G.P. waives service of notice for Respondent Nos.1 and 2.

4. Mr.A.S.Bayas, learned counsel waives service of notice for Respondent No.3.

5. Mr.S.K.Kadam, advocate holding for Mr.V.S.Kadam, learned counsel for Respondent No.4 waives service of notice for Respondent No.4.

6. Mr.Rajput, learned counsel submits that the validation proceedings in respect of the caste claim of the petitioner is pending with the Committee since 2016. Though the petitioner is given admission and the petitioner has appeared for the first year of Bachelor of Physiotherapy examination, the result is not being declared only on the ground that validity is not yet submitted.

7. We have heard learned counsel for the Respondents.

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

9. The Respondent No.2 Committee shall decide the validation proceedings in respect of the caste claim of the petitioner expeditiously and preferably within nine (9) months. The petitioner shall cooperate in expeditious disposal of the said proceedings. The petitioner shall appear before the Committee on 5.12.2017.

10. The Respondent Nos.3 and 4 shall not withhold the result of the petitioner's examination only on the ground that validation proceeding is pending. If the petitioner is otherwise eligible then the Respondents shall not refrain the petitioner from prosecuting studies for the next year only on the ground that validation proceeding is pending.

11. The Respondent Nos.3 and 4 can take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

12. The Writ Petition is disposed of. No costs.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

asp/office/wp13240.17

