

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.598 OF 2017**  
**IN**  
**WRIT PETITION NO.1870 OF 2016**

|                                 |                |
|---------------------------------|----------------|
| Rushikesh Bharat Garud          | ...Petitioner  |
| vs.                             |                |
| State of Maharashtra and Others | ...Respondents |

Mr. R.K. Mendadkar, for the Petitioner  
Ms. Nisha Mehra, AGP for the Respondents-State.

CORAM : SHANTANU S. KEMKAR &  
PRAKASH D. NAIK, JJ.

DATE : **MARCH 10, 2017**

P.C.:

- . Not on board. Upon mentioning taken on board.
2. Parties through their counsel.
3. The grievance of the Petitioner is that the Scheduled Tribe Certificate Scrutiny Committee, Nashik (for short "*the Committee*") has not decided the Petitioner's claim as yet though the same is pending since 15<sup>th</sup> December, 2014. On 12<sup>th</sup> February, 2016 this Court had directed the learned AGP to seek instruction and inform this

Court as within how much time the Committee will complete the hearing and pass the order. However, the learned AGP submits that till date no information has been received by her.

4. Be that as it may, keeping in view the fact that the matter is pending before the Committee since long, we dispose of this Petition by directing the Committee to decide the Petitioner's claim for Caste validity as expeditiously as possible but not later than three months from the date of receipt of copy of this order.

5. The Petitioner to appear before the said Committee on 23<sup>rd</sup> March, 2017 at 11.00 am.

6. While deciding the Petitioner's claim the Committee shall take into consideration the fact that the Petitioner's father and other paternal relatives have been granted the Caste Validity Certificates (Exhibit B colly.).

7. Till the Petitioner's claim is decided the Respondents shall not debar the Petitioner from appearing in the examination to be

conducted by the fourth and fifth Respondents. However, the final year result of the Petitioner will not be declared without leave of the Court and the Petitioner will not be entitled to claim equity. However, if the Caste claim is decided by the Committee in favour of the Petitioner, his result be declared.

8. The Petition is disposed of as such.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)