

contends that subsequent to filing of the petition, Petitioner has come across the validity certificate granted in favour of his paternal cousin Aboli Bhalero. He submits that this fact could not be brought to the consideration of the caste scrutiny committee.

4. We find that Petitioner should be given an opportunity to produce the Certificate of Validity of a person, who claims to be his close relative before the Respondent No. 1 Committee so that it can consider the same. The rule is therefore, made absolute in the following terms:

- (i) The impugned order dated 2nd March, 2017 is quashed and set aside.
- (ii) The matter is remitted back to Respondent No. 1 Committee for considering it afresh after giving an opportunity to the Petitioner.
- (iii) Till the decision of Respondent No. 1 Committee, admission of the Petitioner shall not be disturbed. He may be permitted to pursue the study without insisting any protection of caste validity.
- (iv) This protection shall continue to operate for a further

period of two weeks from the date of receipt of the order of Respondent No. 1 Committee, in the event the decision of the Committee is against the Petitioner.

Sd/-
[RIYAZ I. CHAGLA, J.]

Sd/-
[B. R. GAVAI, J.]

Vinayak Halemath