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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9556 OF 2017**

Parag Dilip Thakur	..Petitioner
Versus	
State of Maharashtra	
Through its Secretary, Higher	
Education Department, Mantralaya,	
Mumbai-400 032 and others	..Respondents

Mr. R. K. Mendadkar a/w Ms. Komal Gaikwad for the Petitioner.
Mrs. Rupali M. Shinde, AGP for Respondent Nos.1 to 3.

**CORAM: B. R. GAVAI &
SANDEEP K. SHINDE, JJ.**

DATE: 22nd November, 2017

P.C.:-

1] Rule. Rule is made returnable forthwith. Respondents waive service. Heard by consent of parties.

2] Petitioner has approached this Court being aggrieved by the inaction on the part of Respondent No.2 – Committee in not deciding the claim of the Petitioner. The Petitioner also apprehends coercive action from Respondent No.4 – College on the ground of non-submission of the validity certificate.

3] It is not in the hands of the candidate as to within how much time Respondent No.2 – Committee would take decision on the proposal for considering validity of the claim of the candidate.

However, on account of inaction on the part of Respondent No.2, student cannot be penalised.

4] In that view of the matter, Rule is made absolute in the following terms:-

(i) Respondent No.2 – Committee is directed to decide the claim of the Petitioner as expeditiously as possible and preferably within a period of three months from today.

(ii) It is further directed that Respondent No.4 shall not take any coercive steps against the Petitioner on the ground of non-submission of validity certificate till decision of Respondent No.2 – Committee on the claim of the Petitioner and, in the event, the order passed by the Committee is against the interest of the Petitioner, for further period of three weeks from the date of receipt of communication thereof by the Petitioner.

(SANDEEP K. SHINDE, J.)

(B. R. GAVAI, J.)