

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 274 OF 2017
IN
WRIT PETITION NO. 10232 OF 2016

Dilipkumar Bhagwantrao	}	
Baviskar and Anr.	}	Applicants
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Vikram V. Pai for the applicants.

Mrs. M. S. Bane 'B' Panel Counsel for the respondents.

CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.

DATED :- FEBRUARY 24, 2017

P.C. :-

1. Having heard both sides and finding that the main writ petition is disposed of, however, bearing in mind the order passed in the main writ petition, the petitioner/applicant no. 2 could not obtain any benefit from the same, but now she is aspiring to join a career or course in medicine. Her admission against a reserved seat cannot be obtained by her unless she has the caste validity certificate. Equally, petitioner/applicant no. 1 was appointed against the reserved post, but even after he has retired from service, his claim has not been verified and scrutinised by the

competent scrutiny committee. That is why the chances of his daughter are adversely affected. In these circumstances and without any technical issue being allowed to be raised, we entertain this civil application. We direct the competent scrutiny committee to adjudicate both the claims as expeditiously as possible. The committee should pass its orders on or before 30th April, 2017.

2. The Caste/Tribe Certificate Scrutiny Committee, Nashik shall scrutinise and verify the claims of both, the petitioner-applicant no. 1 and petitioner-applicant no. 2. The papers and proceedings so also records of the claim of applicant no. 2 shall be made over and sent by the scrutiny committee at Nandurbar to the scrutiny committee at Nashik.

3. With the aforesaid directions, the civil application is disposed of. We clarify that we have not expressed any opinion on the rival contentions.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)