

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4204 OF 2018

Pratik Sanjay Pandikar

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Vivek U. Jadhav, Advocate for the Petitioner.

Shri A. V. Deshmukh, A.G.P. for Respondent / State.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 25th April, 2018

PER COURT :

1. Learned counsel for the petitioner submits that the petitioner was admitted in November – 2016, for the academic year 2016 - 2017 for B.H.M.S. course. The validation proceeding is still pending. The learned counsel submits that the petitioner had appeared for the examination for the first year. The result is also declared.

2. In case the petitioner is otherwise eligible, then the

respondents shall not refuse to admit the petitioner for the further year only on the ground that validation proceeding is pending.

3. From the certificate filed on record, it transpires that the spelling of the tribe 'Mannervarlu' is wrongly spelt in the tribe certificate. The committee shall give the petitioner attested copy of the tribe certificate within one week. The petitioner on receipt of the attested copy of the tribe certificate shall produce it before the Sub Divisional Officer, Aurangabad. The Sub Divisional Officer, Aurangabad after verifying its record about the issuance of the tribe certificate shall give the tribe certificate to the petitioner with correct spelling of the tribe within two weeks. The petitioner shall submit the corrected tribe certificate to the committee within one week thereafter, and the committee shall decide the validation proceeding within six (6) months.

4. The petitioner shall give undertaking to the institution that, if his claim is invalidated, he will pay full fees for all the previous years. Upon filing the said undertaking, the full fees

may not be insisted upon till the validation proceeding is decided. Respondent Nos. 3 and 4 may take further course of action depending upon the Judgment that will be delivered by the committee in the validation proceeding.

5. With these observations, the writ petition stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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