

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5607 OF 2018

Arifa d/o Arif Tadv

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. K.A. Ingle advocate for the petitioner

Mr. V.S. Badakh, advocate for respondent Nos.1 and 2

Mr. V.S. Kadam, advocate for respondent No.3

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CORAM : **R.M. BORDE AND**
A.M. DHAVAL, JJ

Date : 26TH JUNE, 2018

PER COURT :-

1 The petitioner claims to belong to Tadv Bhil, scheduled tribe category. She is in receipt of the tribe certificate, issued by the competent authority, certifying accordingly. She has been admitted to three years nursing course in Respondent No.3 college, as against a seat, earmarked to scheduled tribe (ST) category. The tribe certificate issued to the petitioner has been referred to the Scrutiny Committee for verification and the proposal is still pending with the scrutiny committee. As a result of failure of the petitioner to submit validation certificate, she has been prohibited from appearing for the examination.

2 Under the circumstances, this petition can be disposed of by directing respondent No.2 scrutiny committee to take decision on the proposal of validation of the tribe certificate of the petitioner, as expeditiously as possible and preferably within a period of six months from today and it is accordingly directed. In the meanwhile, respondent No.3 is directed to permit the petitioner to appear for the first year nursing examination. The petitioner shall tender an undertaking to respondent No.3 college that in the event of her failure to submit validity certificate and in the event of rejection of her claim by the scrutiny committee, she would pay the requisite fees demanded by respondent No.3 within a period of two months from the date of rejection of her claim.

3 In view of directions as above, writ petition is disposed of.

(A.M. DHAVALA, J)

(R.M. BORDE, J)