

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.**

WRIT PETITION NO. 6131 OF 2018

Ravi S/o Dattatraya Jayewar ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr.C.A. Jadhav, Advocate for Petitioner
Mr. V.S.Badakh, AGP for Respondent – State
Mr. S.G. Karlekar, Advocate for Respondent No.3

WITH
WRIT PETITION NO. 6139 OF 2018

Sham S/o Gangadhar Jayewar ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr.C.A. Jadhav, Advocate for Petitioner
Mr. P.K.Lakhotiya, AGP for Respondent – State
Mr. M.D. Narwadkar, Advocate for Respondent No.3

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

DATE : 20th JUNE, 2018.

PER COURT:-

1. The petitioners claim to belong to scheduled tribe category and are desirous for securing admission to engineering course. It is not the matter of dispute that the proposals in respect of the verification of the tribe certificates of the petitioners are pending with the Scrutiny Committee. The counsel appearing for the respondents has invited our attention to the programme prescribed for admission

to engineering course. The last date for submission of the caste validation certificate as per the programme is 27.06.2018 for Centralized Admission Process (CAP round). Unless the petitioners tender validation certificate before the prescribed date, they would not be considered for admission for engineering course under the CAP. It has been informed that the matters are pending with the Scrutiny Committee at the stage of considering report of the vigilance cell. Considering the stage of inquiry before the Scrutiny Committee, it would be appropriate to insist upon the Scrutiny Committee to continue the process and tender report before 26.06.2018. The petitioners claim that their blood relations are in receipt of validation certificates issued by the Scrutiny Committee and as such they are hopeful of success in the matters, pending before the committee.

2. In view of the observations made by the Supreme Court, it would not be proper to interfere in the process of admission which has already commenced from 19.06.2018. The interest of the petitioners to some extent can be protected by issuing directions to the Scrutiny Committee to decide the pending validation claims within the reasonable time, so as to facilitate the petitioners to claim admission to seats other than the CAP seats. To facilitate online registration, verification and confirmation of application forms for admission other than CAP seats upto 14th August 2018 upto 5.00

p.m. is the time limit prescribed. The applications registered, verified and confirmed for CAP seats after last date i.e. 19.06.2018 can be considered only for non CAP seats. The petitioners in the absence of validation certificate can very well claim their entitlement to secure admission to engineering course as open category candidate. However, on receipt of the validation certificate, it would be open for them to claim seats other than CAP seats. As has been recorded above, the ends of justice would be met by issuance of the directions to the Scrutiny Committee to take decision in the matters within the reasonable period. The Scrutiny Committee shall ensure receipt of the vigilance cell report in the pending matters by 11.07.2018. The petitioners shall collect the vigilance cell report personally from the office of Scrutiny Committee on 11.07.2018 and shall tender their explanation/reply to the vigilance cell report by 25th July 2018. The petitioners shall not be permitted to insist upon transmission of copy of vigilance cell report by RPAD and the requirement provided under the rules in that regard shall stand dispensed with. The Scrutiny Committee shall conduct enquiry into the matter and after extending opportunity of hearing to the petitioners, shall pronounce the order by 01.08.2018. The petitioners shall collect the orders/validation certificates from the office of Scrutiny Committee on 01.08.2018 and shall participate in the process of admission in terms of para 5 of admission notice under the title "important notes" in accordance with

the relevant regulations, if Committee grants validation certificates.

3. In view of the above, petitions are disposed of.
4. Parties to act upon the authenticate copy of this order.

[A. M. DHAVALA]
JUDGE

[R. M. BORDE]
JUDGE

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