

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8203 OF 2018

Mayuri Sunil Thakur
Through Father & Natural Gurdian
Shri.Sunil Thakur ...Petitioner
V/s.
State of Maharashtra & Ors. ...Respondents

Mr.R.K. Mendadkar for the Petitioner.

Mr.S.B. Kalel, AGP for the Respondent-State.

**CORAM : S.C. DHARMADHIKARI &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 04th DECEMBER 2018

P.C.:

1. Leave to amend to correct the name of the Scrutiny Committee in the title. The second respondent now shall be termed as Caste Scrutiny Committee, Nandurbar.

2. Heard both sides.

3. Perused the Writ Petition. Since the petitioner's claim is pending before respondent No.2-Scheduled Tribe Certificate Scrutiny Committee and it being over burdened, it could not decide it expeditiously, the fourth respondent should

not have precipitated the matter by threatening to cancel the admission of the petitioner or deny her the opportunity to appear for the examination.

4. Once the Committee was unable to dispose of the matter and the petitioner has no control over its proceedings, we expect the college not to deny the petitioner such an opportunity. Let the petitioner appear for the examination, which commences on 17th December 2018 subject to the outcome of the proceedings before the Scrutiny Committee. In the event, an adverse order is passed, then, the same shall not be acted upon for a period of 15 (fifteen) days from the date of its communication to the petitioner. In the event, the petitioner does not obtain any orders from the higher forum, then, all consequences in law shall follow. No equities can be claimed by the petitioner and our order does not mean that we have accepted the claim of the petitioner on merits.

5 With these clarifications, the Writ Petition is disposed of.

6 All concerned to act on an authenticated copy of this

order.

7. Stand over to 31st May 2019 for compliance.

(SMT.BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI,J.)