

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

WRIT PETITION NO. 7964 OF 2018

Venkatesh Malkaarsidh Hainalkar	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

Mr.Vishwanath Pail i/b Mr.Sandeep Katke for the Petitioner.

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

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

DATE : 21st NOVEMBER 2018

P.C.:

1. The petitioner's claim is pending before the competent Scrutiny Committee for verification and scrutiny. In the affidavit it is stated on behalf of the Committee that it will decide the matter within three months from the date of filing of that affidavit.

2. Since, the caste claim is pending before the Scrutiny Committee, we cannot pass any order other than directing the Scrutiny Committee to dispose of the pending matter within three months from the date of filing of this affidavit in reply before this Court.

3. We cannot assist the petitioner any further for any admission which is provisional cannot fructify or blossom into regular or authorized one in the absence of a caste validity certificate. Hence, the petitioner cannot be treated as a candidate admitted to a reserved seat in the absence of such caste validity certificate. In the absence of such certificate neither the admission can be given any legal sanctity nor can the petitioner be permitted to appear for any examination. The petitioner will have to start afresh after the validity certificate is issued and in the event it is not issued the petitioner has further legal remedy available to him. Nothing beyond this can be done in this petition. It is accordingly disposed of.

(SMT.BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI,J.)