

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9752 OF 2018

Charushila Maheshkumar Thakur ... Petitioner

 V_S

State of Maharashtra Through its
Tribal Development Dept. and Ors. ... Respondents

Mr.R. K. Mendadkar with Priyanka Shaw, T.V. Jadhav for the Petitioner.

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

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

THURSDAY, 29TH NOVEMBER, 2018

P.C. :

1 Heard both sides.

2 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.

3 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 tomorrow i.e. 30th November, 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.

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

5 All concerned to act on an authenticated copy of this order.

[SMT. BHARATI H. DANGRE]

[S.C. DHARMADHIKARI, J.]