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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10774 OF 2018

Gaurav Ramesh Rangaonkar .. Petitioner
Vs.
The District Caste Scrutiny Committee
& ors. .. Respondents

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Mr.V.R. Gaikwad for the petitioner.
Mr. S.B. Kalel, AGP for respondent No.1, 3 and 4.
Dr. Abhijet Auti, Principal of the respondent No.2 is present.

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**CORAM : B.R.GAVAI &
M.S. KARNIK, JJ.**

DATE : 25th OCTOBER, 2018

ORAL JUDGMENT (PER : B.R. GAVAI, J.) :-

Rule. Rule is made returnable forthwith.

2. Heard by consent of the parties.

3. The Principal of the respondent No.2 – College is personally present in the Court.

4. The petitioner has approached this Court being aggrieved by the cancellation of his admission on the ground that the petitioner did not submit the validity certificate by 31st August, 2018.

5. The Principal of the respondent No.2 states that since there is a direction by the respondent Nos. 3 and 4 to the effect that if the validity certificate is not submitted prior to 31st August, 2018, the admission shall stand cancelled, the action of the respondent No.2 cannot be faulted with.

6. No doubt, we cannot find fault with the respondent No.2 in cancelling the admission of the petitioner. However, the Court cannot ignore the fact that the respondents – Scrutiny Committee are not diligent in granting caste validity certificate. At times, the parties are required to approach this Court to issue directions to the Committee to decide the caste claim expeditiously. Not only this, the State Government itself had issued a Circular not to cancel the admissions in the event if the

validity certificate is not submitted prior to 31st August, 2018.

7. The petitioner received his validity certificate on 27th August, 2018. However, the Creamy Layer Certificate was issued on 11th September, 2018 and on the very same day the petitioner attempted to submit the same but the college did not accept the same.

8. In that view of the matter, we find that the cancellation of the admission of the petitioner is not sustainable. In the result, rule is made absolute in the following terms :

(i) The order cancelling the admission of the petitioner for second year of Four Year Degree Course in Engineering and Technology by the respondent No.2 is quashed and set aside.

(ii) The respondent No.2 is directed to regularize the admission of the petitioner by accepting the Caste Validity Certificate and Creamy Layer Certificate of the petitioner.

9. Needless to state that the petitioner shall be permitted to pursue his study as well as appear for the examination.

10. Accordingly, the Writ Petition is disposed of.

(M.S. KARNIK, J.)

(B.R.GAVAI, J.)