

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11977 OF 2017

Shravnee Anil Shinde

...Petitioner

vs.

State of Maharashtra and Others

...Respondents

Mr. R.K. Mendadkar, for the Petitioner

Ms. Reena Salunkhe, AGP for Respondent Nos. 1 to 4.

Ms. Ashwini Patil i/b. Ms. P.N. Dabholkar, for Respondent No. 5.

**CORAM : SHANTANU S. KEMKAR &
SARANG V. KOTWAL, JJ.**

DATE : SEPTEMBER 18, 2018

P.C.:

. Parties through their counsel.

2. The grievance of the Petitioner is that Respondent No. 2 – Scheduled Tribe Certificate Scrutiny Committee, Nashik (in short “the Committee”) has not decided the Petitioner's caste claim as yet. According to the Petitioner, the caste claim is pending since 2014.

3. Having considered the submissions made by the learned counsel for the parties and having regard to the fact that the Petitioner's caste claim is pending since 2014, we dispose of this Petition by directing the Committee to decide the Petitioner's caste claim as expeditiously as possible but in any case not later

than four months from the date of appearance of the Petitioner before the said Committee.

4. While deciding the caste claim of the Petitioner, the Committee to consider the law laid down in the case of **Apoorva Vinay Nichale v/s Divisional Caste Certificate Scrutiny Committee No.1 and Others, reported in 2010(6) Mh.L.J. 401.**

5. The Petitioner to appear before the Committee on 3rd October, 2018 at 11.00 am.

6. We further direct Respondent Nos. 4 and 5 to allow the Petitioner to appear in the ensuing winter 2018 Second Year M.B.B.S examination.

7. However, it is made clear that in case the Petitioner fails to get the caste validity certificate, the Petitioner shall not be entitled to claim any equity on the basis of this order.

8. With the aforesaid direction the Petition is disposed of.

(SARANG V. KOTWAL, J.)

(SHANTANU S. KEMKAR, J.)