

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

WRIT PETITION NO.13028 OF 2017

Sanket Suryakant Kamale

..Petitioner

Versus

State of Maharashtra and others

..Respondents

Mr. R. K. Mendadkar, Advocate for the Petitioner.

Mr. Vikas Mali, AGP for Respondent Nos.1 and 2.

**CORAM : B. R. GAVAI &
B. P. COLABAWALLA, JJ.
DATE : 30th JANUARY, 2018**

PC.

1] Rule. Rule made returnable forthwith. Heard by consent.

2] The Petitioner has approached this Court with a direction that though the Petitioner's validity belonging to "Koli Mahadev" tribe is pending before the Respondent No.2 – Committee for a considerable period, the same is not yet decided and on account of non-submission of Caste Validity Certificate, his admission is likely to be cancelled.

3] The Petitioner cannot be penalized on account of inaction on the part of Respondent No.2. It is not in the hands of the Petitioner, within how much time the Respondent No.2 decide the Caste Validity of the Petitioner. In that view of the matter, Rule is made absolute in the following terms :-

- I) The Respondent No.2 is directed to decide the claim of the Petitioner as expeditiously as possible, in any case, within six months from today.

- II) Till the decision on the claim of the Petitioner by the Respondent No.2, the Respondent Nos.3 and 4 shall not take any adverse steps against the Petitioner, only on the ground of non-submission of Caste Validity Certificate.

- III) In the event, the order passed by the Respondent No.2 is against the interest of the Petitioner, the protection shall continue for a further period of two weeks from the date of receipt of communication of the order passed by the Respondent No.2.

- IV) No orders as to costs.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]