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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2018 OF 2019

Pratiksha Bhimrao Boyane,
Age: 19 years, Occ: Student,
R/o. Anand Nagar, Latur,
Tq. & Dist. Latur. ..PETITIONER

VERSUS

1. The State of Maharashtra
Through it's Secretary,
Higher Technical Education
Department, Mantralaya,
Mumbai-32.
2. The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad,
Through its Deputy Director (R)
3. The Principal,
College of Agriculture,
Dongarshelki Tanda, Udgir,
Tq. Udgir, Dist. Latur.
4. Vasant Rao Naik Marathwada
Krushi Vidyapith, Parbhani,
Tq. & Dist. Parbhani.
Through its Registrar ..RESPONDENTS

Mr Pratap V. Jadhav, Advocate for petitioner;
Mrs M.A. Deshpande, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE
AND
S.M.GAVHANE, JJ.**

DATE : 15th FEBRUARY, 2019

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ORAL ORDER :

Heard learned Counsel appearing for the petitioner.

2. Considering the following facts, the petition is taken up for disposal at admission stage.

3. The petitioner, after completing 12th Standard examination, sought admission in respondent No.4 college. As the petitioner belongs to 'Koli Mahadev, scheduled tribe', the claim was referred to validation to the Committee. The document is placed on record at Exhibit-B to submit that the claim is accepted by the Committee on 28th May, 2018 for validation. Learned Counsel also invited our attention to the documents placed on record to submit that these documents support the claim of the petitioner and these documents are mostly the school record or validity certificate issued in favour of relatives of the petitioner. Bonafide certificate issued in favour of the

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petitioner through Principal of respondent No.3 college is also placed on record.

4. Learned Counsel for the petitioner then submitted that the claim is pending before the committee and the petitioner is faced with the notice issued by respondent No. 3 College dated 25th January, 2019 whereby petitioner is subjected to coercive action of cancellation of his admission. Learned Counsel then submits that the petitioner has to play no role in early decision of the committee. The petitioner's academic career be protected during pendency of the validation proceedings. Learned Counsel prays for directions to the committee to decide the claim expeditiously.

5. Perusal of notice dated 25th January, 2019 supports the contention of the petitioner.

6. In view of above referred facts, the petition is disposed of, with direction to respondent No.2 - Committee to decide the claim of

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the petitioner as early as possible and not later than six weeks from the date of this order.

7. Respondent Nos. 3 and 4 are directed not to take any adverse action in the academic course and career of the petitioner till claim is decided by respondent No.2-Committee. We further make it clear that on decision of the Committee, respondent Nos. 3 and 4 are at liberty to take appropriate steps.

8. With these directions, the petition is disposed of.

(**S.M.GAVHANE**)
JUDGE

(**PRASANNA B. VARALE**)
JUDGE

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