

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

**WRIT PETITION NO.1706 OF 2019**

**ATHARV RAJENDRA KOLI  
VERSUS  
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE AURANGABAD  
AND OTHERS**

Mr.Sagar S. Phatale, Advocate for the petitioner  
Mr.A.R.Kale, AGP for the respondents/State

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

**DATED : 26.02.2019**

**P.C. :-**

- . Heard learned counsel for the petitioner.
2. Considering the issue raised in the petition and on perusal of the documents placed on record, we are of the opinion that the petition can be disposed of at the admission stage.
3. Issue notice to the respondents, returnable forthwith. Learned AGP waives service of notice for respondents/State.
4. A copy of caste certificate issued in favour of the petitioner through the Sub-Divisional Officer of

Ausa-Renapur is placed on record at Exh.A to submit that the petitioner belongs to Koli Mahadev tribe. The petitioner after completing his XII std examination sought admission in the B.Sc.Agri course. Petitioner's claim was forwarded to the Scrutiny Committee for validation. The claim is accepted by the Committee. The copy of the proposal with endorsement of the Committee is placed on record. This claim is accepted by the committee on 16.01.2018. Learned counsel for the petitioner invited our attention to the validity certificate issued in favour of the nearest relative of the petitioner and also the copy of the affidavit to submit the genealogy tree of the petitioner. Learned counsel for the petitioner submitted that the petitioner is hopeful of his validation of claim but meantime the petitioner is faced with a notice dated 24.01.2019. The notice states that failure to submit a validity certificate the petitioner would be subjected to cancellation of admission. Learned counsel for the petitioner submitted that as the claim is pending before the Committee for its validation and the petitioner has no role to play except witting for the decision of the Committee and extending his co-operation to the Committee the non-decision of the Committee may not adversely affect the petitioner's academic career is the submission of the learned counsel for the petitioner.

Learned counsel for the petitioner was justified in making the submission.

5. Accordingly, the petition is disposed of with direction to respondent No.1 Scrutiny Committee to decide the claim of the petitioner as expeditiously as possible and not later than 12 weeks from the date of order of this Court.

6. Respondent Nos. 2 and 3 are directed not to take any coercive action in furtherance of notice dated 24.01.2019 till the decision on the claim by respondent No.1 Committee. We further make it clear that on decision of the Committee respondent Nos.2 and 3 are at liberty to take appropriate steps.

7. With the above directions, the petition is disposed of.

**[ S.M.GAVHANE, J. ]**

**[ PRASANNA B. VARALE, J. ]**