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

WRIT PETITION NO.1913 OF 2019

Anjali Ganesh Jadhav,
Age: 20 years, Occu: Student,
R/o. Nakhalgaon, Tq. Majalgaon,
Dist. Beed

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through it's Secretary,
Medical Education and Drugs Department,
Mantralaya, Mumbai-32
2. The Scheduled Tribe Certificate Scrutiny
Committee, Aurangabad,
through its Deputy director. (R)
3. The Dean/Principal,
Govt. Medical College, Latur,
Tq. & Dist. Latur
4. The Registrar,
Maharashtra University of Health Sciences,
Nashik, Dindori Road, Nashik,
Tq. & Dist. Nashik

..RESPONDENTS

Mr P. V. Jadhavar, Advocate for petitioner;
Mrs M. A. Deshpande, A.G.P. for respondents/State;
Mr K. C. Sant, Advocate for respondent No.4

**CORAM : PRASANNA B. VARALE
AND**

S. M. GAVHANE, JJ.

DATE : 11th February, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

(2)

2. Certain facts of the present petition are identical to the facts of the petition, which is disposed of by us today only i.e. Writ Petition No.1900 of 2019. The petitioner is a student, who is studying in MBBS course. She was restrained from prosecuting her studies on the ground that she has failed to produce validity certificate.

3. Being aggrieved by the denial to prosecute the studies, the petitioner had approached this Court by filing Writ Petition No.2441 of 2016. The said writ petition was decided on 2nd March, 2016. The Division Bench of this Court directed the committee to take decision in respect of tribe certificate validation proposal of the petitioner expeditiously and preferably within a period of one year. The respondent - University was also directed to accept examination form and fees and permit the petitioner to appear for examination and declare her result. Again the petitioner had approached this Court by filing Writ Petition No.10884 of 2017. The said petition was disposed of with directions to the Committee to decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six months. The Division Bench of this Court also directed that respondent No.3 shall not refuse to accept the examination form and with hold the result of the petitioner only on the ground that the validation proceeding is pending.

(3)

4. Learned Counsel for the petitioner submitted that till date the claim of the petitioner is not decided and the petitioner is faced with the statement of marks showing that result of the petitioner is 'WITHHELD Hon. Court Ruling Awaited'.

5. Considering the identical facts, we have decided Writ Petition No.1900 of 2019 with directions to the Committee to decide the claim of the petitioner within a stipulated period and further directing the other respondents i.e. Dean/Principal of the college and the Registrar of the University not to insist for validity certificate for prosecuting studies by the petitioner till the claim is decided by the committee. The committee, as such, is directed to decide the claim of the petitioner expeditiously and not later than twelve weeks from the date of the order of this Court and respondent Nos.3 and 4 are directed to permit the petitioner to prosecute her studies and declare her result without insisting for submission of validity certificate. We further make it clear that on decision of the committee, respondent No.3 and 4 are at liberty to take appropriate steps.

With the aforesaid observations/directions, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk