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

WRIT PETITION NO.2703 OF 2019

Vikas s/o Ankush Koli,
Age: 23 years, Occ: Student,
R/o. At. Rachannawadi,
Post Shelgaon, Tq. Chakur,
Dist. Latur

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32
2. Joint Director and Member,
Scheduled Tribe Certificate
Verification Committee,
Aurangabad, Dist. Aurangabad
3. The Maharashtra Council of
Agricultural Education and
Research, Pune, Tq. and
Dist. Pune,
Through its Director
4. The Registrar,
Vasantrao Naik Marathwada
Agricultural University,
Parbhani, Tq. and Dist. Parbhani
5. The Principal,
Late Ambadasrao Warpudkar
College of Agriculture,
Warpud, Tq. & Dist. Parbhani. ..RESPONDENTS

Mr Chandrakant R. Thorat, Advocate for petitioner;
Mr S.S. Dande, A.G.P. for respondent/State

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

DATE : 1st MARCH, 2019

ORAL ORDER :

Heard Mr. Thorat, learned Counsel appearing for the petitioner.

2. As very limited grievance is raised before us, the petition is taken for final disposal at admission stage. Issue notice to the respondents, returnable forthwith. Learned A.G.P. waives service of notice for respondent Nos. 1 and 2.

3. The petitioner is a student prosecuting his studies in respondent No. 5 - College. The caste certificate is issued in favour of the petitioner on 10th August, 2012 through the Deputy Collector (Resettlement), Latur. The petitioner was admitted in respondent No.5-College and his claim was forwarded for validation. The claim was accepted by the Committee on 20th January, 2014. The copy of the proposal and acceptance by the

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Committee is placed on record at Exhibit-B.

4. In earlier round of litigation, when the petitioner was deprived of his scholarship benefits, the petitioner approached this Court in filing Writ Petition No.8007 of 2016. By order dated 3rd August, 2016, the Division Bench of this Court protected interest of the petitioner with directions to the Committee i.e. clause-(c) The respondent Scrutiny Committee is directed to decide the claim as early as possible and preferably within a period of six months from the date of receipt of this order. Mr. Thorat, learned Counsel by inviting our attention to the documents placed on record submits that the majority of the formalities are complied with, such as, calling for vigilance report, submission of report but still the Committee has not decided the claim in spite of directions of this Court.

5. Learned Counsel for the petitioner submitted that the petitioner is hopeful of validation on the backdrop of sufficient material

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supporting his claim and also apprehends that the delay in decision would cause a serious prejudice to the petitioner in his academic career. As such, learned Counsel prays for direction to the Committee to decide the claim.

6. Considering the submissions of learned Counsel for the petitioner as well as considering the order of this Court, wherein specific direction was issued to the Committee to decide the claim with stipulated period and still the claim is pending before the Committee for validation, we direct respondent No. 2 - Scrutiny Committee to decide the claim of the petitioner within four weeks from today. In case there is delay in decision, the same would be treated for a cause for issuing a notice of contempt *suo moto* by this Court.

7. The petition is disposed of accordingly.

(S.M.GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE