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

WRIT PETITION NO.2371 OF 2015

Nikhil s/o Rohidas Bhamare,
Age: 18 years, Occu: Student,
R/o.: Plot No.01 B, Gita Nagar,
Deopur, Dhule Taluka and
District Dhule

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Higher Technical Education Department,
Mantralaya, Mumbai-400 032
2. The Committee for Scrutiny and
Verification of Tribe Claims,
Through its Dy. Director (Research),
Nandurbar, District Nandurbar 425412
3. The Director of Technical Education,
Maharashtra State, 3 Mahapalika Marg,
Mumbai 400 001
4. The Veermata Jijabai Technological
Institute, through it's Director,
H. R. Mahajani Marg, Matunga Road,
Mumbai 400019

..RESPONDENTS

Mr A. H. Koralkar, Advocate for petitioner;
Mr S. D. Ghayal, A.G.P. for respondent Nos.1 & 3
Mr K. D. Bade Patil, Advocate for respondent No.2

**CORAM : PRASANNA B. VARALE
AND
R. G. AVACHAT, JJ.**

DATE : 8th August, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

2. As a very limited grievance is raised in the petition, we deem it appropriate to dispose of the petition at the admission stage with directions to respondent No.2 - Committee.

3. The facts giving rise to the filing of the petition are summarized as follows in brief.

The petitioner, after completing his 12th standard, approached respondent No.4 - College seeking admission. The petitioner was admitted in respondent No.4 - College as a student belonging from the quota of students for Scheduled Tribes. The claim of the petitioner for validation of his caste was submitted to respondent No.2 - Committee on 25th July, 2013 through the Principal, Zulal Bhilajirao Patil College, Dhule. At that point of time, the petitioner was prosecuting his education in 12th standard in Science stream.

4. On receiving the claim, respondent No.2 - Committee informed the petitioner by a communication dated 23rd June, 2014 that the claim for validation is under process.

5. On 20th February, 2015, respondent No.4 - College informed the petitioner that the petitioner has failed to submit his validity certificate on or before 30th November, 2014 as per an undertaking submitted by him. By this communication, the petitioner was also informed that if he fails to submit his validity certificate, his admission to the course would be cancelled. The petitioner then approached this Court by filing the present writ petition.

6. It is the submission of learned Counsel for the petitioner that in spite of repeated requests to respondent No.2 - Committee, there was no progress in the claim submitted by the petitioner and till date no decision is taken by the Committee.

7. A copy of the petition was supplied to the office of learned Government Pleader. It seems that the office of learned Government Pleader had sought instructions and in response to communication from the office of learned Government Pleader it is informed that it may require some time for the Committee for compliance of the procedural aspects, as such, providing copy of vigilance report to the petitioner and calling upon him to submit his say on the vigilance report. The Committee by communication dated 8th August, 2019,

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which is taken on record and marked as 'X' for identification, informed the office of learned Government Pleader that the Committee may undertake all this exercise and decide the claim of the petitioner within a period of one month.

8. Learned Asstt. Govt. Pleader, on instructions, orally submits that the Committee is now undertaking an exercise of a special drive in the matters of students. In view of communication dated 8th August, 2019 and in view of above submission of learned Asstt. Govt. Pleader, in our opinion, the petition can safely be disposed of with directions to respondent No.2 - Committee and accordingly respondent No.2 - Committee to decide the claim of the petitioner as expeditiously as possible and not later than eight weeks from today.

With the aforesaid directions, the petition is disposed of.

The Registry to issue authenticated copy of this order to learned Asstt. Govt. Pleader.

(R. G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)

sjk