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

WRIT PETITION NO.2726 OF 2019

Sainath s/o Govind Tiparse,
Age: 20 years, Occ: Student,
R/o. At Post Tuppa,
Tq. and Dist. Nanded

..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 Registrar,
Mahatma Phule Agricultural University,
Rahuri, Tq. Rahuri,
Dist. Ahmednagar
4. The Principal,
Rajashri Chatrapati Shahu Maharaj
College of Agriculture,
Kolhapur, Tq. and Dist. Kolhapur

..RESPONDENTS

Mr Chandrakant R. Thorat, Advocate for petitioner;
Mrs V.N. Patil-Jadhav, A.G.P. for respondent Nos. 1 & 2

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 15th March, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

(2)

2. At the outset, Mr. Thorat, learned Counsel appearing for the petitioner orally prays for amendment to the petition by way of placing on record a legible copy of the document placed at Exh.'G'.

3. Oral prayer for amendment is allowed. Amendment be carried out forthwith.

4. The facts which are not in dispute and in its initial round, the petitioner was before the Court challenging the order of the Scrutiny Committee, at that stage, the petitioner was not admitted in any professional course. By an order dated 27th June, 2017 in a bunch petitions, namely, Writ Petition No. 8231 of 2017 and other connected petitions, the Division Bench of this Court was pleased to quash and set aside the order of scrutiny committee with further directions to remit the matters back to the committee for its fresh decision. In the meantime, the petitioner was admitted in respondent No. 4 - College and is prosecuting his studies in B.Sc. Agri. course and student of 2nd year. The pendency of the claim for decision before the committee is causing prejudice to the petitioner as he has faced with the notice issued by the institute informing him that failure to submit validity certificate would result in depriving him from pursuing his academic course.

(3)

5. Thus, learned Counsel for the petitioner, on the backdrop of this fact, prayed for directions to the scrutiny committee to decide the claim within a stipulated period and further directions to respondent No.4-College not to take any coercive steps depriving the petitioner from prosecuting his studies on the ground that validity certificate is not submitted by him. As in similar circumstances, this Court has disposed of the petition with directions to the Committee and also protected academic career of the petitioners, we see no reason to adopt different view.

6. Accordingly, we dispose of the petition, with directions to respondent No. 2 - Committee to decide the claim of the petitioner as expeditiously as possible and not later than twelve weeks from the date of receipt of the order of this Court. Respondent Nos. 3 and 4 are directed not to take any coercive action against the petitioner on the ground that validity certificate is not issued till decision of the claim of the petitioner pending with the Committee. We further make it clear that respondent Nos. 3 and 4 are at liberty to appropriate steps on receipt of the decision of the Committee and the petitioner to submit the decision of the Committee to these respondents as soon as the Committee decides the claim.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)