

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

WRIT PETITION NO.3127 of 2019

Shaikh Mubashshir S/o Shaikh Mubin,
Age : 20 years, Occupation : Student,
2nd Year Mechanical Engineering,
Chatrapati Shahu College of Engineering,
Aurangabad, resident of
Mohalla Paltan Hingoli ... Petitioner

VERSUS

1. The State of Maharashtra,
through Secretary Social Welfare Department
Mantralaya Mumbai 400 008.
2. The Caste Certificate Scrutiny Committee,
Hingoli.
3. The Principal,
CHH Shahu College of Engineering,
Kanchanwadi, Paithan road,
Aurangabad.
4. The Registrar,
Dr. Babasaheb Ambedkar Technological
University, Lonere,
Raigadh. ... Respondents

Ms. A.N. Ansari, Advocate for the petitioner
Mrs. R.P. Gour, AGP for the respondent Nos.1 and 2.

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

DATED : 08.03.2019

PER COURT :-

1. Heard learned counsel for the petitioner.
2. As the limited grievance is raised in the petition, the petition is taken up for final disposal at the admission stage. Issue notice to the respondents, returnable forthwith. Learned AGP waives service of notice for respondent Nos.1 and 2.
3. Petitioner initially was admitted in Diploma course, as there was no requirement of the submission of the validity certificate. The petitioner submitted caste certificate subsequently. The petitioner was admitted in respondent No.3-College of the engineering course. The documents placed on record at Exh.'C' shows that the petitioner is bonafide a student and he is prosecuting IInd year (Mechanical Engineering) course. The petitioner's admission is in the engineering course from OBC category and this fact reveals from the document placed on record at Exh.'B'. In view of entry against allotted the seat time as 'GOBC', the

petitioner's caste certificate was forwarded to the Competent Scrutiny Committee through the College. The document to that effect is placed on record at page 11.

4. The claim of the petitioner for validation is submitted. Now the receipt placed on record issued by the Nagari Suvidha Kendra, District Hingoli is placed on record.

5. Learned counsel for the petitioner submitted that, now the claim is pending before the Committee for considerable period and the petitioner apprehends that on account of non submission of the validity certificate, the petitioner may face a coercive action in the nature of cancellation of his admission. As such the petitioner prays for directions to Committee to decide the claim at the earliest.

6. This being a limited grievance, the petition is disposed of with directions to respondent No.2-Caste Scrutiny Committee, Hingoli to decide the claim as early as possible and not later than 12 weeks from the date of

order of this Court.

7. Respondent No.3-College and respondent No.4-University are further directed not to take any coercive action against the petitioner on the ground of non submission of the validity certificate till the decision of the Committee. We further make it clear that on decision of the Committee, respondent Nos.3 and 4 are at liberty to take appropriate steps on the backdrop of the decision of the Committee.

8. With the above observations, the petition is disposed of.

[S.M.GAVHANE,J.]

[PRASANNA B. VARALE,J.]