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

WRIT PETITION NO.2725 OF 2019

Rahul s/o Chatarsing Rajput,
Age: 21 years, occu: Student,
R/o. Palaskheda (Moglai),
Tq. Soygaon, Dist. Aurangabad

..PETITIONER

VERSUS

The State of Maharashtra & ors.

..RESPONDENTS

Mr D. K. Rajput, Advocate for petitioner;
Mr A. R. Kale, A.G.P. for respondent Nos.1 & 2;
Mr Y. B. Bolkar, Advocate for respondent No.3

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

DATE : 25th February, 2019

ORAL ORDER:

Heard learned Counsel for the petitioner.

2. It is submitted by learned Counsel for the petitioner that this is a second round of proceedings before this Court by way of present petition. He invited our attention to para No.10 of the petition to submit that when the petitioner was prosecuting his studies, respondent No.3 - University refused to declare the result of the petitioner on the ground of pendency of the caste claim and by an order dated 29th March, 2016, this Court directed University not to withhold the result of the petitioner and not to refrain the

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petitioner from prosecuting further studies on the ground of validation proceedings is pending. He submitted that till today caste claim is pending and the petitioner has completed his first semester of third year Mechanical Engineering and his result is not declared on the ground of pendency of claim. As such, the petitioner is unable to prosecute his studies and to seek admission/attend classes for the second semester of third year.

3. A copy of the order dated 23rd September, 2016, passed by this Court in Writ Petition No.9816 of 2016 is also placed before us, which is taken on record and marked 'X' for identification.

4. The petitioner is also praying for directions to the Committee to decide the caste claim of the petitioner that the petitioner belongs to 'Rajput Bhamta', within stipulated period.

5. In view of above, issue notice to respondent, returnable forthwith.

6. Learned A.G.P. waives service of notice for respondent Nos.1 &2 and Mr Bolkar waives for respondent No.3.

7. Learned Counsel appearing on behalf of respondent No.3 admits the fact situation of the order dated 23rd September, 2016, passed by this Court.

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8. In view of the aforesaid facts, the petition is disposed of with directions to respondent No.2 - Committee to decide the claim of the petitioner as early as possible and not later than twelve weeks from the date of the order of this Court. Respondent No.3 - University is directed not to withhold the result of the petitioner in first semester of third year engineering course and shall not refrain the petitioner from prosecuting his studies on the ground of validation proceedings is pending. Needless to state that respondent No.3 - University can further take a course of action on decision of the Committee in the pending caste claim of the petitioner.

The petition is disposed of accordingly.

Authenticated copy of this order be supplied to Counsel for respective parties.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk