

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 3603 OF 2019

Chaitanya s/o Satish Devre

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. Sushant C. Yeramwar, advocate for the petitioner.
Mrs. R.P. Gour, AGP for respondents.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.
DATE : 20th March, 2019.**

P.C. :

Heard learned counsel for the petitioner.

2. The petitioner is a student prosecuting studies in second year of B. Pharmacy in Respondent No. 4 - college. The petitioner was admitted in the college in the year 2016-2017 against reserved category seat a Scheduled Tribe candidate. The petitioner's claim was forwarded for verification to the Scrutiny Committee, the same is pending before the Scrutiny Committee. However, it is contended that the college authorities are insisting for submission of certificate of validity or else asked petitioner to pay full fees applicable to open category candidates and not allowing him to appear for forthcoming examination.

3. Learned counsel for the petitioner submitted that in similar circumstances this Court in Writ Petition No. 2821/2019 issued direction to the Scrutiny Committee to decide the claim within

stipulated period and permitted the petitioner to appear before the Committee on a fixed date. This court also protected the interest of the petitioner by directing continuation of his academic course. Copy of the order dated 26.02.2019 in Writ Petition No. 2821/2019 is at Exhibit-I to the instant petition.

4. Considering this fact, we see no reason to take different view than the view adopted by us on 26.02.2019.

5. Accordingly, the petition is disposed of with direction to the Scrutiny Committee to decide the claim of the petitioner as early as possible and not later than 12 weeks from the date of order of this Court. The petitioner undertakes to appear before the Committee on 27.03.2019. Respondent No. 4 is directed not to take any coercive action on the ground that validity certificate is not submitted, as the verification proceedings are still pending. Respondent no. 4 is permitted to take further course of action depending upon the decision of the Committee.

6. With the above directions, the petition is disposed of.

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

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