

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

WRIT PETITION NO. 3781 OF 2018
WITH
CIVIL APPLICATION NO 756 OF 2019

Rahul Rajendra Thakur

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. S.C.Yeramwar, Advocate for Petitioner
Mr. S.M. Ganachari, Assistant Government Pleader for
Respondents/State
Mr. A.P. Gawad, Advocate holding for
Mr. N.B. Khandare, Advocate for Respondent No. 3
Mr. S.S. Jadhavar, Advocate for Respondent No. 4

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 8th FEBRUARY, 2019

ORAL ORDER:

1. Mr. Yeramwar, the learned Counsel submits that the validation proceeding in respect of the tribe claim of the petitioner is pending with the Committee. The vigilance is conducted. The petitioner has also filed reply to the vigilance report on 28.10.2018. Twice, the petitioner had been to the Committee, however, the same is not yet decided.

2. According to the learned Counsel, the respondent No. 3 is claiming fees. The learned Counsel relies on the letter dated 18th March, 2017 issued by the Tribal Development Department.

3. We have heard the learned Assistant Government Pleader and the learned Counsel for the respondent No. 3.

4. The respondent No. 2 Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner within a period of two months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 26th February, 2019.

5. The respondent No. 3 shall not demand the tuition fees only on the ground that validity certificate is not submitted as the validation proceeding is still pending.

6. However, the respondent Nos. 3 to 5 can take further course of action depending upon the Judgment that would be delivered by the Committee in validation proceedings.

7. The petitioner shall appear for the examination. However, the degree certificate should not be issued till the validity certificate is produced.

8. The writ petition is disposed of. No costs.

9. In view of the disposal of the writ petition, the Civil Application stands disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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