

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

WRIT PETITION NO.4655 OF 2019

Sneha D/o Hanmanlu Muttepod,
Age: 21 years, Occ: Education,
R/o. Sagroli, Tq. Biloli,
Dist. Nanded.

PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Medical Education and Drugs
Department, Mantralaya, Mumbai
2. The Dean
Dr. Vaishampayan Memorial
Government Medical College
Solapur, Opp. District Court
Solapur, Tq. & Dist. Solapur
3. The Registrar,
Maharashtra University of Health
Sciences, Dindori Road,
Mhasrul/Nashik, Dist. Nashik
4. The Scheduled Tribe Caste
Certificate Verification Committee
Aurangabad, Through its
Dy. Director (R), Aurangabad

RESPONDENTS

Mr Sunil M. Vibhute, Advocate for the petitioner;
Mrs Preeti V. Diggikar, Advocate for respondent No.1, 2 &
4;
Mr K.C. Sant, Advocate for respondent No.3

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

DATED : 24th APRIL, 2019

ORAL ORDER:

Heard Mr. Vibhute, learned Counsel for the petitioner.

2. The petitioner, a student of M.B.B.S. course, was prosecuting her studies in respondent No.2 - school had approached this Court by filing Writ Petition No. 2536 of 2018 challenging invalidation of her caste claim. By order dated 14th March, 2018, the petitioner was permitted to approach Sub Divisional Officer for issuance of corrected tribe certificate. Academic interest and career of the petitioner was protected by this Court. The petitioner on receipt of the tribe certificate issued through Sub Divisional Officer, Biloli, on 30th March, 2019, submitted the same for validation before the Caste Scrutiny Committee on 2nd April, 2019, which claim is

pending before the Committee. Respondent No. 3 University on the ground of non submission of validity certificate issued statement of marks to the petitioner with remark that result is withheld with further rider that Hon'ble Court Ruling Awaited.

3. The submission of Mr. Vibhute, learned Counsel for the petitioner is, except for submitting the claim before the Committee and co-operating the Committee in the process of validation, the petitioner has no role to play in expeditious decision by the Committee.

4. The Division Bench of this Court (Coram : S.V. Gangapurwala and A.M. Dhavale, JJ.) by order dated 14th March, 2018 in Writ Petition No. 2536 of 2018 directed the Committee to decide the validation proceedings within stipulated period of six months from the date of receipt of the proposal. As stated above, the proposal itself was submitted to the Committee on 2nd April, 2019.

5. In view of this, we deem it appropriate to dispose of the petition at admission stage with direction to respondent No.4 - Committee to decide the claim of the petitioner submitted to it on 2nd April, 2010 as expeditiously as possible and not later than eight months from the receipt of copy of the order of this Court.

6. Till then Respondent Nos. 2 and 3 are directed to permit the petitioner to prosecute her M.B.B.S. course for 4th year and internship without insisting for tribe validation certificate.

7. Respondent No. 3 - University to declare the result of the petitioner which is withheld on account of non submission of the validity certificate.

8. With these directions, the petition is disposed of.

[NITIN W. SAMBRE,J.]

[PRASANNA B. VARALE,J.]

Tupe