

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

WRIT PETITION NO. 4838 OF 2019

Hemangi Madhukar Deoraj
Age: 27 years, Occu. Student,
R/o. Plot No.108, Gut No.60,
Shiv Colony, Jalgaon

... Petitioner

Versus

- 1 The State of Maharashtra
 through its Secretary,
 Medical Education and
 Drugs Department,
 Mantralaya, Mumbai-32.
- 2 The Scheduled Tribe Certificate
 Scrutiny Committee, Nandurbar,
 through its Member Secretary
- 3 Maharashtra University of
 Health Sciences, Nasik,
 through its Registrar
4. Lokmanya Tilak Medical College,
 Sion Hospital, Sion, Mumbai,
 through its Dean

... Respondents

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Mr. S. R. Barlinge, Advocate for petitioner.
Ms. V. N. Patil-Jadhav, AGP for the State.

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

DATED : 22nd APRIL, 2019

PER COURT:-

1. Heard learned counsel for the petitioner and learned AGP for the State. By consent, the petition is taken up for final disposal at admission stage.
2. The claim of the petitioner as belonging to 'Tokre Koli' Scheduled Tribe category is pending before the respondent committee for verification. It is not in dispute that the blood relatives of the petitioner are also holding the validity.
3. The petitioner as informed by the learned Assistant Government Pleader was appeared before the committee in 2016 when the matter before the committee was scheduled for hearing.
4. In the aforesaid background, having noticed that the claim for verification is pending before the committee is matured for hearing, learned Counsel for the petitioner Shri Barlinge, on instructions submitted that the petitioner shall appear before the respondent committee on 20th May, 2019 with entire details and original record and will not seek any further adjournment. The submission made on instructions, is accepted as an undertaking.

5. The committee, as such, is expected to decide the claim of the petitioner within a period of three months from the date of such appearance. In case, the petitioner fails to appear as undertaken herein above, it shall be open for the committee to decide the claim in absence of the petitioner.

6. So far as, prayer for return of the documents, it shall be open for the petitioner to make such a request before the educational institution with whom the petitioner is pursuing the education including that of from university. If such a prayer is made, it shall be open for the said authority to decide the prayer of the petitioner within a period of four weeks from the date of such request.

7. The writ petition is accordingly disposed of.

(NITIN W. SAMBRE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

SMS