

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 4861 OF 2019

Khan Muzaffar Ahmed s/o Khan Javed Ahmed Petitioner

Versus

The State of Maharashtra
& others Respondents

Mr. S.S. Kazi, advocate for petitioner.
Mrs. R.P. Gour, AGP for respondents no. 1 and 4.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.
DATE : 22nd April, 2019.**

P.C. :

Leave to amend the petition. Amendment be carried out forthwith.

2. It is the case of the petitioner that he scored 439 marks in NEET-PG 2019 examination and is in the race for admission to PG course. According to him, pursuant to the policy of the Central and the State Government of providing 10% reservation to economically weaker section, the petitioner and his father applied for issuance of the certificate as belonging to economically weaker section in the office of the Tahsildar, Basmat, on 13.03.2019 and 14.03.2019 and till date, the Tahsildar has not decided the prayer for issuance of the certificate.

3. According to petitioner, the other similarly placed candidates are already issued with the certificates and as a consequence, the

petitioner is unable to pursue his claim as a candidate belonging to economical weaker section against the seat fallen vacant in the second and third rounds of admission. The submissions of Mr. Kazi are, directions need to be issued to the Tahsildar, Basmat to decide the prayer of petitioner for issuance of certificate as belonging to economical weaker section in time bound manner so that the petitioner can approach the competent admission authority with a prayer for consideration of his claim.

4. Learned AGP submits that the Tahsildar, Basmat, can decide the claim of petitioner for issuance of certificate within reasonable time.

5. In the aforesaid background, we direct the Tahsildar, Basmat, to decide the claim of petitioner for issuance of certificate as belonging to economically weaker section, within a period of two weeks from today.

6. The petitioner undertakes to appear before the Tahsildar/Officer holding charge of the post who is competent to issue said certificate, on 25th April, 2019.

7. If the authority considers claim of the petitioner for issuance of certificate as belonging to economically weaker section and issues the certificate in favour of the petitioner, it shall be open for the petitioner to approach the competent authority dealing with the admissions to NEET PG 2019 course for admission in second and third round.

8. With above directions, writ petition stands disposed of.
9. Authenticated copy of the order be supplied to the parties.

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

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