

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

Writ Petition No. 09269 of 2019

District : Nanded

Shubham s/o. Suresh Iralwad,
Age : 21 years,
Occupation : Student,
R/o. Ganesh Nagar, Umari
(Railway Station),
Taluka Umari, Dist. Nanded.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai - 32.
2. Savitribai Phule Pune University,
Pune,
Through its Registrar.
3. B.R.A.C.T.'s Vishwakarma Institute
of Technology,
666, Upper Indiranagar,
Bibvewadi, Pune - 411 037,
Through its Director.
4. Scheduled Tribe Certificate
Scrutiny Committee,
Aurangabad Division,
Aurangabad.

.. Respondents.

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*Mr. Omgashad B. Boinwad, Advocate, for the
petitioner.*

*Mr. V.M. Kagne, Assistant Government Pleader,
for respondent nos.01 and 04.*

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**CORAM : S.V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 14TH OCTOBER 2019

ORAL ORDER :

01. Learned Assistant Government Pleader for respondent nos.01 and 04 submits that the caste (tribe) validation proceedings are at the stage of vigilance enquiry. According to the petitioner, result of marks sheets of 1st, 2nd and 3rd year of B.Tech have not been issued and result of IInd semester of 3rd year is withheld.

02. In the light of above, we pass the following order :-

(a) Respondent no.04 - Committee shall decide tribe validation proceedings in respect of the petitioner, on its own merits, after giving reasonable opportunity of hearing to the petitioner, as expeditiously as possible and preferably within a period of six months from the date of appearance of the petitioner before the Committee. The petitioner shall appear before the Committee on 04th November 2019.

(b) Respondent nos.02 and 03 shall not withhold result of the petitioner's examination on the ground of non-submission of tribe validity certificate. Respondent nos.02 and 03 shall also issue marks

sheets of the examinations to the petitioner, if withheld only on the ground of non-submission of tribe validity certificate. However, degree shall not be issued to the petitioner unless and until he produces tribe validation certificate.

(c) Respondent nos.02 and 03 shall take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings.

(d) With the above directions, the writ petition is disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(S.V. Gangapurwala)
JUDGE

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