

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9686 OF 2019

SAGAR VITTHAL KOLI
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
NANDURBAR, THROUGH ITS MEMBER SECRETARY

...

Advocate for Petitioner : Mr. Phatale Sagar S.
AGP for Respondent No. 1 : Mr. K. B. Jadhavar
Advocate for Respondent No. 2 : Mr. Y. B. Bolkar

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, J.

DATE: 05th AUGUST, 2019

PER COURT:

1. Mr. Phatale, learned counsel for the petitioner submits that the validation proceeding is pending with the committee since the year 2017. The petitioner has appeared for second year B. Pharmacy examination and his result is withheld.

2. The learned A.G.P. accepts notice for respondent no. 1. Mr. Bolkar, learned counsel accepts notice for respondent no. 2.

3. In case, the validation proceeding in respect

of the tribe claim of the petitioner is pending, then the respondent no. 1 / scrutiny committee shall decide the said proceeding expeditiously and preferably within a period of four (04) months from the date of appearance of the petitioner. The petitioner shall appear before the scrutiny committee on 19.08.2019. Respondents no. 2 and 3 shall not withhold the result of the petitioner's examination only on the ground that the tribe claim is pending. In case, the petitioner is otherwise eligible, then the petitioner shall not be refrained from prosecuting his studies for the third year only on the ground that validation proceeding is pending. Respondents no. 2 and 3 may take further course of action depending upon the judgment that will be delivered by the committee in the validation proceeding.

4. Writ Petition is accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]
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[S. V. GANGAPURWALA, J.]