

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12205 OF 2018

Neha Sundersing Thakur

.. **Petitioner**

Versus

The State of Maharashtra and others .. **Respondents**

Mr. M. D. Narwadkar, Advocate for the Petitioner.
Mrs. A. V. Gondhalekar, Addl. G. P. for Respondent
Nos. 1 and 2.

Mr. Shahaji B. Ghatol Patil, Advocate for
Respondent No. 3.

CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 16th JANUARY, 2019

PER COURT :

1. The petitioner claims to be from V. J. category and submits that the validity certificate has been issued to him. He further submits that respondent no. 3 – College is not forwarding the proposal for scholarship / fees reimbursement.

2. Mr. Ghatol Patil, learned Advocate for respondent no. 3 submits that at the relevant time the petitioner did not possess the validity

certificate and he secured admission from Open category. Respondent no. 3 sought clarification from the Authorities but no clarification has been received.

3. The learned Additional Government Pleader submits that as the petitioner is appointed from Open Competition category the fees reimbursement is not made.

4. The Government Resolution dated 31.03.2016 is referred. Clause 2(3) of Government Resolution dated 31.03.2016 provides that if a person is not taking the benefit of reservation and is admitted on merits in the Open Competition category, then also if that person belongs to S.C., S.T., V.J. or O.B.C. will be entitled for the benefit of the said scheme. The petitioner has produced the validity certificate. As contended further, he is appointed from Open Competition category. Clause 2(3) of Government Resolution dated 31.03.2016 would be relevant.

5. Respondent no. 3 shall forward the proposal for fees reimbursement / scholarship to respondent no. 2. Respondent no. 2 shall thereafter take decision upon the said proposal within a period of three (3) months from the date of receipt of the proposal.

6. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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