

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

955 WRIT PETITION NO.10438 OF 2019

AJAY SHIVAJI SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Avinash R. Salve
AGP for Respondents: Mrs. A.V. Gondhalekar, Additional G.P.
Adv. for respondent No.3 : Mr. Narwadkar,

. . .

CORAM : S. V. GANGAPURWALA &
K.K. SONAWAJE, JJ.

DATE : 22ND AUGUST, 2019.

PER COURT:

Mr. Salve, learned counsel for petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending with the committee. This Court under order dated 25th April, 2019 in W.P. No. 4770 of 2019, directed the Committee to decide the validation proceeding within sixteen (16) weeks. Same is not yet decided. The petitioner has got admission in the respondent No.4 College. The respondent No.4 College has directed the petitioner to submit validity by 22nd August, 2019, else his admission would be cancelled.

The learned counsel for the petitioner submits that his admission be protected. Matter is kept before the committee on 27th August, 2019. Mr. Narwadkar appears for respondent No.3 and submits that today is the last date for submitting validity. If the validity is not submitted, the admission of the petitioner cannot be protected as per Rules. However, in the third round, the case of the petitioner can be considered if the petitioner produces validity. The petitioner will have to fill up the form and

subject to availability of vacancy. If the petitioner produces his validity, the petitioner can be considered in the third round.

The brochure issued by the State Common Entrance Cell provides for submission of validity before the last date of the first round, i.e. 22nd August, 2019.

The learned AGP submits that, in fact, the matter was placed for hearing on 20th August, 2019, but the petitioner sought adjournment on the said date and now it is kept on 27th August, 2019.

It is not possible for us to pass order contrary to rules. We may only direct that the committee shall endeavour to decide the validation proceeding on or before 30th August, 2019, provided the petitioner argues the matter on 27th August, 2019. It is for the respondent Nos. 3 and 4 to consider the request of the petitioner seeking extension of time to submit validity Certificate.

With these observations, writ petition is disposed of.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

grt/-