

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10513 OF 2016

Shaikh Abdul Rafey Abdul Hakim Minor
Through its Father Abdul Hakim Abdul
Gafoor

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. M.A. Golegaonkar, Advocate for Petitioner
Mr. P.S. Patil, Additional Government Pleader for
Respondent Nos. 1 and 2
Mr. S.S. Thombre, Advocate for Respondent No. 4

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 15th MARCH, 2019

ORAL ORDER:

1. The learned Counsel submits that the petitioner is studying in Third Year B. Tech. (Civil Engineering) Course. The respondent-University has issued notice to the petitioner to submit validity certificate or else the admission would not be approved.
2. The learned Counsel submits that the proposal is forwarded for validation of the tribe claim on 31st December, 2015. The vigilance is conducted. However, the same is not yet decided.
3. The learned Additional Government Pleader submits that the Committee will decide the validation proceedings within a period of three months.

4. We have also heard the learned Counsel for the Respondent No. 4.

5. Considering the fact that the validation proceeding is pending, we pass the following order :-

(i) The respondent No. 2 – Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of three months from the date of appearance of the petitioner.

(ii) The petitioner shall appear before the Committee on 1st April, 2019.

(iii) The respondent Nos. 3 and 4 shall not take perverse action against the petitioner only on the ground that the validation proceeding is pending.

(iv) The respondent Nos. 3 and 4 may take further course of action depending upon the Judgment that would be delivered by the Committee in the validation proceeding.

(v) The Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE