

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

CIVIL APPLICATION NO.12121 OF 2019
IN
WRIT PETITION NO.9240 OF 2019

Saiprasad Bapurao Kore

..Applicant

Versus

Director of Medical Education
and Research, CET Cell,
Mumbai and ors.

..Respondents

Mr S.S. Phatale, Advocate for applicant
Mr S.B.Pulkundwar, A.G.P. for respondents no.1 and 3
Mr S.G. Karlekar, Advocate for respondent no.2

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 11.10.2019

ORAL ORDER :

1. The matter is circulated by the applicant. Under judgment dated 6th August 2019 in the writ petition filed by the petitioner against the order of Scrutiny Committee invalidating the tribe claim of the petitioner, we had remitted the matter to the Committee. The petitioner approached the Apex Court. The Apex Court remanded the matter for decision on merits under order dated 11.9.2019. The present applicant was granted liberty to file appropriate application before the High Court for priority hearing. Application is filed on 1.10.2019 and is circulated today.

2. The applicant to the present application is seeking directions against the respondents no.1 and 2 to consider and admit the petitioner for B.A.M.S. course from Scheduled Tribe category without insisting for certificate of validity.

3. We cannot direct the respondents to admit the petitioner from Scheduled Tribe category without validity certificate, that would be against the rules.
4. Mr Karlekar, learned Counsel for respondent no.2 submits that the last date for submission of validity is over long back.
5. We had asked learned Counsel Mr Phatale to argue the writ petition itself on merits. Mr Phatale submits that the writ petition is not on board today.
6. The applicant ought to have circulated the Writ Petition and civil application.
7. At the request of learned Counsel for the applicant, stand over to 3rd December 2019.
8. Civil Application disposed of.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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