

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

Writ Petition No. 12455 of 2019

District : Osmanabad

Shubham s/o. Pandurang Koli,
Age : 24 years,
Occupation : Student,
R/o. 105/80, Uma Nagari,
Solapur, District Solapur.

.. Petitioner

versus

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai - 32.

2. The Scheduled Tribe Certificate
Scrutiny Committee,
Aurangabad Division,
Aurangabad.

3. Walchand College of Engineering,
Sangli, District Sangli,
through its Principal.

.. Respondents.

.....

*Mr. A.S. Golegaonkar, Advocate, holding for
Mr. M.A. Golegaonkar, Advocate, for the petitioner.*

*Mrs. M.A. Deshpande, Additional Government Pleader,
for respondent nos.01 and 02.*

.....

**CORAM : S.V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 14TH OCTOBER 2019

ORAL ORDER :

01. Learned Advocate for the petitioner submits that the petitioner has appeared for final year examination of B.Tech (Computer Science & Engineering) in March-April 2019. The result of the said examination is withheld on the ground that the petitioner has not yet submitted his caste (tribe) validation certificate. The tribe validation proceedings in respect of the petitioner are pending before the Committee since 15th June 2019. Learned Counsel submits that the Vigilance Cell has not yet conducted enquiry.

02. In the light of above, we pass the following order :-

(a) The respondent no.02 - Committee shall decide tribe validation proceedings in respect of the petitioner, on its own merits, within a period of three months from the date of appearance of the petitioner before the Committee. The petitioner shall appear before the Committee on 22nd October 2019.

(b) In case, the petitioner is otherwise eligible, then respondent no.03 shall not withhold result of the petitioner for final year of B.Tech. (Computer Science & Engineering) on the ground of non-submission of tribe validation certificate. However,

degree certificate shall not be issued to the petitioner by the respondents unless and until the petitioner produces tribe validation certificate.

(c) With the above directions, the writ petition is disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(S.V. Gangapurwala)
JUDGE

.....