

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO.30216 OF 2019

Kum.Bhagyashri Ashok Suryawanshi ... Petitioner
versus
State of Maharashtra and Ors. ... Respondents

Mr.R.K.Mendadkar for the Petitioner.

Mr.B.V.Samant, AGP for State.

Mr.Rajendra Anbhule for Respondent
No.5.

CORAM :- S. C. DHARMADHIKARI &
R.I.CHAGLA, JJ.

DATE :- DECEMBER 4, 2019

P.C. :-

1. The petitioner has moved this petition urgently to seek a direction to the fifth respondent -Savitribai Phule Pune University to hand over the Second Year (Second Semester) examination mark-sheet so that the petitioner does not lose job opportunity.

2. The petitioner says that the third respondent-competent authority granted the petitioner admission to the Engineering Degree Course in the Academic Year 2016-2017. This Degree Course is of three years' duration. The fifth respondent - Savitribai Phule Pune University is the university to which the institution is affiliated. The petitioner says that after completing the first year of this course, the admission was granted to her in

the second year. After the second semester examination, which she appeared and also entered the third, fourth, fifth and sixth semester, cleared all the examinations of the Course, she was informed that in the absence of a caste validity certificate, she would not be able to pursue her further pursuits.

3. Now, the caste validity certificate has to be issued by the second respondent-Scrutiny Committee. The petitioner says that she has no control over its proceedings. The proceedings are pending before this Committee after the petitioner forwarded her caste certificate. The verification was sought in the month of November, 2016, but the Committee has done nothing for the past three years forcing the petitioner to file a writ petition in this Court, seeking a direction to the Committee to expedite the scrutiny and verification of her claim. Despite an order of this Court in that writ petition, namely, Writ Petition No.8779 of 2017, the proceedings are still pending before the Scrutiny Committee. In the meanwhile, the petitioner sought an appointment against a vacant post in a private company. She was called for an interview and thereafter the appointment has been offered to her. The date of joining is 19th December, 2019 at Pune.

4. In the absence of a complete mark-sheet and Degree Certificate, the petitioner may not be able to secure this

appointment. Now, she has completed the three year Degree Course as well. The petitioner would require the Degree Certificate to be produced.

5. On such a petition, notice was issued to all concerned and Mr.Anbhule, appearing on behalf of respondent No.5-University, says that subject to the claim being verified and scrutinised by the competent Scrutiny Committee, the University is ready and willing to release the Degree Certificate and mark-sheet.

6. Mr.Anbhule says that this would be done as expeditiously as possible and in any event, before 5th December, 2019. Let the petitioner attend the office of the Registrar of the fifth respondent-University today itself so that the University releases this Degree Certificate and the mark-sheet.

7. This order is passed without prejudice to the rights and contentions of all parties and with a clarification that this Court has not upheld the claim of the petitioner.

8. The writ petition stands disposed of accordingly.

(R.I.CHAGLA, J.)

(S.C.DHARMADHIKARI, J.)