

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.7966 OF 2018

Ku. Inshira Zeb Patel d/o Naqui Ahmed Patel,
 Age 17 years, Occ. Student,
 R/o. Plot No.202, Samaj Bhushan Society,
 Ayyapa Nagar, Nagpur-13

..

..PETITIONER

--Versus --

1. District Caste Certificate Scrutiny Committee,
 Nagpur, Dr. Babasaheb Ambedkar Bhawan,
 Opposite Government I.T.I., Near Diksha Bhumi,
 Nagpur.
2. Principal, Antrabharti Homeopathic Medical College,
 Wadi Road, Dabha, Nagpur-23
3. The Commissioner, State Common Entrance Test Cell
 Maharashtra State, Mumbai,
 8th Floor, New Excelsior Building,
 A.K.Nayak Marg, Fort,
 Mumbai-400 001.
4. Maharashtra University of Health Science,
 Vani Road, Mhasrul, Nasik.

.. RESPONDENTS

 Shri Naqeeb Patel, Advocate for petitioner.
 Shri B.M.Lonare, Assistant Government Pleader for respondent nos. 1 and 3.
 Shri A.D.Mohgaonkar, Advocate for respondent no.2.
 Shri N.S.Khubalkar, Advocate for respondent no.4.

**CORAM : SUNIL B. SHUKRE &
 PUSHPA V. GANEDIWALA, JJ.**

DATED : 25.04.2019

JUDGMENT (Per Sunil B. Shukre, J.)

1. **Rule.** Rule is made returnable forthwith and heard finally with the consent of the learned counsel for the parties.

2. It is submitted on behalf of respondent nos. 1 and 3 by the learned Assistant Government Pleader(AGP) that the petitioner herself is not co-operating with the Scrutiny Committee. In spite of repeated request made to her for submitting relevant documents including old revenue record on which she is placing reliance, are not being supplied by her.

3. This has been denied by the learned counsel for the petitioner. However, the statement has been made by the learned AGP on instructions and therefore, we do not see any reason to disbelieve the learned AGP for such statement. But, at the same time, we would also not like to make any comment upon the conduct of the petitioner in the matter as ultimately her interest lies in co-operating with the respondent no.1-Scrutiny Committee and obtaining necessary orders from it.

4. Seen in this way, we find that by giving of sufficient time to the respondent no.1-Scrutiny Committee and also directing the petitioner to extend her co-operation, the purpose of this petition would be served.

5. In the result, we direct the respondent no.1-Scrutiny Committee to decide the caste claim of the petitioner within a period of **one year** from the date of receipt of this order. The petitioner is directed to co-operate with the respondent no.1- Scrutiny Committee in the matter. Rest of the prayers are not pressed by the learned counsel for the petitioner.

6. Rule is made absolute in the aforesaid terms. No orders as to costs.

JUDGE

JUDGE

Andurkar..