

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

915. WRIT PETITION No. 3229 of 2020

Anjali D/o Ganesh Jadhav ...Petitioner

VERSUS

Maharashtra University of Health Science,
Nashik and others ...Respondents

WITH

926. WRIT PETITION No. 3240 of 2020

Pathan Musaveer Khan Baktiyar Khan ...Petitioner

VERSUS

Maharashtra University of Health Science,
Nashik and others ...Respondents

WITH

930. WRIT PETITION No. 3244 of 2020

Pathan Muddassir Khan Mukhtar Khan ...Petitioner

VERSUS

Maharashtra University of Health Science,
Nashik and others ...Respondents

WITH

945. WRIT PETITION No. 3259 of 2020

Ashwini Gangadhar Bhandewad ...Petitioner

VERSUS

Maharashtra University of Health Science,
Nashik and others ...Respondents

Mr. Sagar S. Phatale, Advocate for petitioners in all petitions
Mr. K.C. Sant, Advocate for respondent No.1
Mr. S.G. Karlekar, Asstt. Govt. Pleader for Respts. No. 2 & 3

**CORAM : S.V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE : 26th February, 2020

ORDER :

1. Mr. Phatale, learned Counsel for the petitioners, submits that the validation proceedings in respect of tribe claim of the petitioners are pending with respondent No.3-the Scheduled Tribe Certificate Scrutiny Committee since the year 2015. The learned Counsel submits that the vigilance enquiry has been conducted. Vigilance report is not yet served.

2. The learned Counsel further submits that the result of Third (II) year MBBS Course Exam. of the petitioners in Writ Petition No. 3229 of 2020 and Writ Petition No. 3244 of 2020 and the result of Third (I) year MBBS Course Examination of petitioner in Writ Petition No. 3240 of 2020, held in Winter-2019, is withheld on the ground that the validity certificate of the tribe certificate is not submitted.

3. Considering the fact that the vigilance enquiry has been conducted, we pass the following order:

I. Respondent No.3-the Scheduled Tribe Certificate

Scrutiny Committee, Aurangabad, shall decide the validation proceedings in respect of the tribe claim of the petitioners, within a period of six months from the date of appearance of the petitioners.

- II. The petitioners shall appear before the Committee on 9th March 2020.
- III. Respondents No.1 & 2 shall not withhold the result of the petitioners' examination only on the ground that the validity proceeding is pending. If the petitioners are otherwise eligible, then the respondents shall allow the petitioners to prosecute the internship and shall not be restrained from prosecuting the internship only on the ground that the validation proceeding is pending. Respondents No.1 and 2 may take further course of action depending upon the decision of the Scrutiny Committee on the tribe claim of the petitioners.

4. The writ petitions are accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

Madkar