

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

WRIT PETITION NO. 6520 OF 2020

Sunil Parasram Deshatwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. Sunil M. Vibhute, Advocate for the Petitioner.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

Mr. A. R. Joshi, Advocate for Respondent No. 5.

**CORAM : S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.**

DATED : 23rd SEPTEMBER, 2020.

PER COURT:-

. The learned counsel for the petitioner submits that the respondent No. 4 is a formal party.

2. The learned A.G.P. appears for respondent Nos. 1 to 3. Mr. Joshi, learned counsel appears for respondent No. 5.

3. Mr. Vibhute, learned counsel for the petitioner submits that the petitioner has completed his B. E. course. He has been issued with the degree certificate, but First Year mark sheet is not issued for want of validity certificate. The learned counsel for the petitioner submits that the petitioner would surrender degree certificate with the University

and not claim the degree certificate till his tribe claim is validated. The learned counsel further submits that the petitioner would not take benefit of reservation till his tribe claim is validated.

4. Considering the above, we pass the following order.

5. The petitioner shall surrender his original degree certificate received from the University to the University. Upon surrender of the degree certificate the respondent No. 5 shall not withhold the mark sheet of the First Year B. E. course only on the ground that validation proceeding is pending. The petitioner shall not take benefit of reservation unless and until tribe claim of the petitioner is validated.

6. Writ petition accordingly is disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.