

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7731 OF 2020

Rani Uttamrao Bodkhe

Age : 24 years, Occ : Education

R/o, Shivaji Nagar, Aundha Nagnath,

Tq. Aundha Nagnath, Dist. Hingoli

.. Petitioner

VERSUS

1] Maharashtra University of Health Science,
Nashik
Vani Road, Nashik
Through its Registrar

2] B.J. Medical College of Nursing
& Sasson General Hospital,
Pune – 411 001
Through its Principal

.. Respondents

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Mr. Sagar Phatale, Advocate for petitioner
Mr. K.C. Sant, Advocate for respondent no. 1
Mr. P.N. Kutti, AGP for respondent no. 2

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CORAM : SUNIL P. DESHMUKH &
SHRIKANT D. KULKARNI, JJ.
DATE : 13-11-2020

ORDER :

1. Writ petition no. 4915 of 2020 had been moved by petitioner since her degree certificate and other documents were not issued on the ground that her claim of '*Koli Mahadeo*' scheduled tribe had been pending with the Verification Committee, as the authorities considered that in the absence of tribe validity

certificate, degree certificate and original documents would be difficult to be given to petitioner.

2. In the circumstances, the court had directed the Committee to dispose of validation proceedings and had further directed the concerned to issue all other documents except degree certificate to petitioner.

3. Subsequently it has surfaced that while petitioner had been admitted to first year Basic B.Sc. (Nursing) course, she had not been admitted as a scheduled tribe candidate. It transpires that she has, in-fact, been admitted from 30% woman reserved category.

4. Learned counsel for petitioner points out that on 28-10-2020, the University had realized that petitioner had been admitted from 30% woman reserved category and not as a scheduled tribe candidate and further that she had not avail of any benefit of tribe category. She had paid required tuition fees etc. and, thus, validity of tribe certificate may not be necessary. However, since there is order of this court under aforesaid writ petition dated 27-07-2020, degree certificate could not be issued to petitioner.

5. Aforesaid position has not been disputed by any of the respondents.

6. In view of the same, we deem it appropriate to grant writ petition in terms of prayer clause (A).

7. Writ petition is granted in terms of prayer clause (A) and is disposed of. Rule is made absolute accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

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