

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

WRIT PETITION NO.11719 OF 2019

Sonali Jaishankar Patil

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr K.P. Rodge, Advocate h/f Mr P.G. Rodge, Advocate for petitioner

Mr S.G. Karlekar, A.G.P. for respondents no.1 and 2

Mr S.B. Kakde, Advocate for respondent no.4

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

DATE : 20th February 2020

ORAL ORDER :

1. The petitioner claims benefit of Scholarship/reimbursement of the tuition fees for the Second and Third year of M.D.S. (Prothodontics) course and residual scholarship. She further seeks direction against respondent no.4 to release tuition fees of Rs.5,90,020/- deposited by the petitioner for Second and Third years of M.D.S. Course.

2. According to the petitioner, the petitioner did not submit the validity certificate during the tenure of her course, that was mandatory. As it was not submitted, the petitioner is not entitled for the benefit of Scholarship. The petitioner also required to submit the application through the College. Respondent no.4 – College has submitted application on 11.2.2020 with the Assistant Commissioner, Social Welfare Department, Aurangabad.

3. It was not in the hands of the petitioner to get the validity certificate within the stipulated period. The proceedings were pending with the Committee. The Committee invalidated the same. The petitioner filed Writ Petition before this Court. This Court allowed the Writ Petition directing the

Committee to issue validity certificate to the petitioner. Time was spent in such a litigation. The petitioner cannot be penalised for not submitting the validity within the stipulated period. It was for the Committee to decide the validation proceedings expeditiously.

4. As the College has already submitted the application for the Scholarship to the petitioner for two years, the respondent no.2 shall process the same and take decision upon it preferably within three months. It shall not reject the claim only on the ground that validity certificate was not submitted within the stipulated period.

5. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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