

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

WRIT PETITION NO. 1725 OF 2021

Gaurav Govind Gajalwad

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. O. B. Boinwad, Advocate for the Petitioner.

Mr. S. K. Tambe, A. G. P. for Respondent Nos. 1 and 4.

Mr. B. B. Dahiphale, Advocate for Respondent No. 3.

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

DATED : 29th JANUARY, 2021.

PER COURT:-

. The learned counsel for the petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending with respondent No. 4 since 2016. The same is not yet decided. According to the petitioner, the result of the Second Year M.B.B.S. Summer 2020 examination has been withheld.

2. The learned A. G. P. accepts notice for respondent Nos. 1 and 4.

3. In case, the validation proceeding in respect of the tribe claim of the petitioner is pending with respondent No. 4, then respondent No. 4 shall decide the same on its own merits, in accordance with law,

expeditiously and preferably within a period of (04) months from the date of appearance of the petitioner. The petitioner shall appear before the scrutiny committee on 12.02.2021.

4. The respondents shall not withhold the result of the petitioner's Second Year M.B.B.S. Summer 2020 examination only on the ground that validation proceeding is pending. In case, the petitioner is otherwise eligible, he may not be refrained from prosecuting the Third Year M.B.B.S. studies only on the ground that validation proceeding is pending.

5. The respondents may take further course of action depending upon the judgment that would be delivered by the committee in the validation proceeding.

6. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.