

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

WRIT PETITION NO. 3899 OF 2021

Swapnil Prakash Gulzerwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri G. K. Chinchole, Advocate h/f Shri S. M. Vibhute, Advocate
for the Petitioner.

Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 to 3.

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

DATE : 02ND MARCH, 2021.

FINAL ORDER :

. The learned counsel for the petitioner submits that, validation proceeding in respect of tribe claim of the petitioner is pending since the year 2016. The petitioner has completed B. Tech. (Mechanical Engineering) course. The marks sheet, passing certificate and all other documents are not issued to the petitioner only on the ground that validity certificate is not submitted.

2. The learned Assistant Government Pleader accepts notice for respondent Nos. 1 to 3.

3. Considering the fact that, validation proceeding is still pending, we pass following order.

4. The respondent No. 2/Committee shall decide the validation proceeding in respect of tribe claim of the petitioner on its own merits, in accordance with law, expeditiously and preferably within a period of four (04) months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 16.03.2021. In case the petitioner is otherwise eligible then the respondent Nos. 2 and 3 shall not withhold the marks sheet of the petitioner only on the ground that validation proceeding is pending. The respondents shall not issue degree certificate and other documents unless and until the validity certificate is submitted by the petitioner. The respondents may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

5. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/March 21