

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

WRIT PETITION NO. 5179 OF 2020

Shubham Kishor Thakur

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sushant C. Yeramwar, Advocate for the Petitioner.

Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 and 2.

Shri N. B. Khandare, Advocate for the Respondent No. 3.

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

DATE : 05TH FEBRUARY, 2021.

FINAL ORDER :

. It is submitted that, the validation proceeding is pending with the Committee. The respondent/college is not releasing the marks sheet, passing certificate and degree certificate.

2. Mr. Khandare, the learned counsel for the respondent/college submits that, the petitioner is required to deposit the fees.

3. The learned Additional Government Pleader for respondents/State submits that, the validation proceeding is kept for hearing on 23.02.2021.

4. In the light of the above, we pass the following order.

5. The petitioner shall appear before the Committee on 23.02.2021 and work out the matter. The committee shall thereafter decide the proceeding before 15th March, 2021. If the petitioner does not appear on 23.02.2021, then the committee may proceed further.

6. The college shall not withhold the marks sheet of the petitioner only on the ground that validation proceeding is pending. The leaving certificate, passing certificate, degree certificate and all other documents may be retained by the college and university until the petitioner produces validity certificate. The respondents may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding. In case the claim of the petitioner is invalidated, naturally the petitioner will have to pay full fees of the college.

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

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

bsb/Feb. 21