

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

**906 CIVIL APPLICATION NO.3858 OF 2021
IN WP/9800/2015 WITH WP/9800/2015**

THE DEAN / PRINCIPAL SMT. KASHIBAI NAVALE MEDICAL
COLLEGE AND HOSPITAL
VERSUS
SHRINIWAS DHONDIBA WAGHMODE AND OTHERS

...
Advocate for Applicants : Mr. Bhandari Anand P.
AGP for Respondent Nos.2 & 3 : Mrs. M.A. Deshpande
Advocate for Respondent No.1 : Mr. P.V. Jadhavar
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 17th DECEMBER, 2021

PER COURT:-

1. We have considered the submissions of the learned counsel for the respective sides.
2. We are informed that there were, in all, 5 petitions filed by the claimant Shriniwas Dhondiba Waghmode whose claim for obtaining a tribe validity certificate is pending with the competent committee. This Court had initially granted a deadline upto 31.12.2016 to the committee to decide the claim. Thereafter, the time was extended to 31.10.2021.
3. The learned AGP submits, on instructions, that as the claimant demanded examination of a witness, in the form of a headmaster, who could not appear before the committee by carrying the voluminous record, the re-verification of the documents was ordered and the report is now delivered to the committee. Now there is

no impediment for proceeding with the pending proceedings.

4. Considering the chequered litigation journey at the behest of the claimant and on account of the ad-interim protection of this Court that he has completed his education to the level of final year MBBS course, the writ petition as well as the civil application stand disposed off with the following directions:

a) The claimant Shriniwas Dhondiba Waghmode agrees to appear before the committee on 23.12.2021 at 12 noon.

b) A separate notice need not be issued by the committee to the claimant.

c) The committee shall proceed with the proceedings expeditiously and if required, on day-to-day basis and shall ensure that the claim of the claimant is adjudicated upon by a decision to be delivered, on or before 31.01.2022.

d) We would refuse extension of time to the committee there beyond and if our above directions are not complied with, we will hold the committee members in contempt.

e) We also direct the claimant Shriniwas Dhondiba Waghmode to extend whole-hearted co-operation to the committee and if the committee finds during the conducting of the proceedings that he is attempting to delay the proceedings, the committee would be at liberty to proceed to the next stage and we would not entertain any grievance

of the claimant on this count.

f) Needless to state, if we find that the claimant is delaying the matter due to which the committee is unable to decide the claim within the time frame, we would not hesitate to hold the claimant in Contempt of Court.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)