

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

WRIT PETITION NO. 14979 OF 2019

Atharv Rajendra Koli

.. Petitioner

Versus

Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
through its Member Secretary and ors.

.. Respondents

Mr S.S. Phatale, Advocate for petitioner
Mr P.S Patil, Addl.G.P. for respondent no.1
Mr M.N. Navandar, Advocate for respondent no.2
Mr B.B. Yenge, Advocate for respondent no.3 - absent

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

DATE : 30th January 2021

PER COURT :

1. The petitioner is challenging the letter cancelling the admission of the petitioner on the ground that petitioner has not submitted the validity certificate.
2. This Court, under order dated 11.12.2019 had directed the respondents no.2 and 3 that if the petitioner is otherwise eligible, then they shall not refrain the petitioner from appearing for the examination.
2. Learned A.G.P., on instructions submits that the petitioner was issued notice along with the vigilance report for appearing on 9.8.2018. The petitioner sent a letter that the matter be decided as per the convenience of the Committee. The say to the vigilance report was also not filed.
3. The learned A.G.P. informs that the next date of hearing is 2.2.2021.
4. Mr Phatale, learned Counsel for the petitioner assures the Court that the petitioner will remain present on the next date of hearing.

5. Mr Phatale submits that the examination of the petitioner of third year is from 3.2.2021 till 15.2.2021. The petitioner would thereafter immediately appear before the Committee and file his say and co-operate in expeditious disposal of the proceeding.

6. We accept the said statement as an undertaking to the Court. In light of that, we pass the following order:

7. The petitioner shall appear before the Committee on 18.2.2021. Within seven days of appearing before the Committee, the petitioner shall file his say to the vigilance report and the Committee shall thereafter decide the proceeding within six weeks.

8. If the petitioner does not co-operate in hearing the matter, the Committee shall proceed further.

9. The impugned letter cancelling the admission of the petitioner is quashed and set aside.

10. The respondents no.2 and 3 may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

11. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)