

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

924 WRIT PETITION NO.3876 OF 2021

**AKASH HANMANT IRLE
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents : Mr. S.B. Pulkundwar
...

**CORAM : A.S. GADKARI &
S.G. MEHARE, J.J.**

DATED : 17th FEBRUARY, 2022

PC.:-

1. Leave to amend the designation of respondent no.2 granted. Amendment be carried out forthwith.
2. Record indicates that, the validation proceedings of tribe claim of the petitioner is pending before the respondent no.2 – Committee since the year 2017. Learned counsel for the petitioner submitted that, till date, the vigilance report is not submitted by the vigilance cell in the said proceedings. The petitioner has completed Civil Engineering Course from respondent no.4 – College, however, all the documents including mark sheet have been withheld by respondent nos.4 and 5. He therefore prayed that the respondents be directed to atleast issue mark sheet to the petitioner of 4th to 8th Semester of the Civil Engineering Course completed by him.

3. In view of the fact that, the validation proceedings of tribe claim of the petitioner is pending with respondent no.2 since the year 2017, we direct respondent no.2 to conclude the said proceedings within a period of six months from today without seeking extension in that behalf. Petitioner shall produce the copy of the present order before the concerned Authority and shall seek appropriate date from the respondent no.2 for hearing of his tribe claim in the validation proceedings.

4. Respondent nos.4 and 5 shall not withhold the mark sheet of the petitioner of 4th to 8th semester of the Civil Engineering Course, which he has completed only on the ground that the validation proceedings are pending. Respondent nos.4 and 5 are at liberty, not to issue degree certificate and other documents until the petitioner produces the validity certificate.

5. All the concerned authorities may take further necessary steps in the matter depending upon the judgment/order that may be delivered by respondent no.2 – Committee in the validation proceedings of tribe claim of the petitioner.

It is needless to mention that, if the tribe claim of the petitioner is not accepted by respondent no.2 - Committee, all the consequences as may be permissible under the provision of law would follow.

6. Petition is disposed off in the aforesaid terms.

(S.G. MEHARE. J.)

(A.S. GADKARI, J.)