

(1)

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

WRIT PETITION NO.6427 OF 2022

**PANKAJ BHARAT BHIMBARWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr G. K. Chinchole, Advocate h/f Mr S. M. Vibhute, Advocate
for petitioner;

Mr S. P. Tiwari, A.G.P. for respondents/State

Mr N. S. Ingale, Advocate h/f Mr P. P. More, Advocate for
respondent No.4

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 20th July, 2022

PER COURT:

1. The petitioner has put forth prayer clause (B), which reads
as under :-

*“B) The respondent no. 3 and 4 may kindly be directed
to issue Internship Completion Certificate and other
required documents to the petitioner without insisting for
Tribe Validity Certificate of the petitioner, as the
petitioner has successfully completed his MBBS course
and also completed his necessary Internship.”*

2. Issue notice to the respondent returnable forthwith. The
learned A.G.P. waives service of notice on behalf of respondent

(2)

Nos.1 and 2 and Shri. P. P. More, the learned Advocate waives service of notice on behalf of respondent No.4.

3. The learned Advocate representing respondent No.4 – Maharashtra Health University submits, that a Circular has been issued to all the Medical Colleges directing not to withhold the Internship Certificate on the ground that the claim for validation is pending.

4. In view of the above, this petition is disposed off with the following directions :-

(a) The petitioner shall tender an affidavit undertaking to this Court as well as to respondent No.4 – Health University, declaring that he would not seek any further advantage on the basis of his claim, that he belongs to the ‘Koli Mahadev’ Scheduled Tribe, either for further education or for employment, until the claim is decided.

(b) On the condition of filing the affidavit, respondent No.4 shall release the Internship Completion Certificate and other original documents, on or before 05/08/2022.

(3)

(c) The Degree Certificate of the petitioner shall be withheld by the University, subject to the decision in the claim validation proceedings.

(d) The vigilance cell enquiry would be completed on or before 15/09/2022.

(e) The copy of such committee report would be supplied to the petitioner forthwith after it is completed.

(f) The petitioner shall appear before the Committee on 10/10/2022 at 12.00 noon and submit his written explanation/submissions.

(g) The Committee shall deliver its order on or before 04/11/2022.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk