

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

923 WRIT PETITION NO.8733 OF 2022

**SHASHVAT VIJAYKUMAR PUJALWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. P.V. Jadhavar
AGP for Respondent/State : Mr. A.R. Kale
...

**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : SEPTEMBER 8th, 2022.

PER COURT :

1. The petitioner has put forth prayer clause 'B', 'C' and 'D' as under :-

B) By issuing appropriate writ, order or direction in like nature, may kindly issue direction against the respondent no. 2 Scrutiny Committee to decide the tribe claim of the petitioner as Mannervarlu scheduled tribe as early as possible or issue the validity certificate in favour of petitioner.

C) By issuing appropriate writ, order or direction in like nature, may kindly issue direction against the respondents college/university to issue Internship Completion Certificate, passing certificate, mark sheet, degree certificate and all original necessary documents of the petitioner.

D) Pending hearing and final disposal of this writ petition, may kindly issue direction against the respondents college/university to issue Internship Completion Certificate passing certificate, mark sheet, degree certificate and all original necessary and all necessary documents of the petitioner.

2. The learned AGP, on the basis of the record, submits that the Vigilance Report as well as the notice of hearing was served upon the petitioner vide communication dated 4.6.2018. Hearing was posted on 8.6.2018. The petitioner remained absent. Thereafter, a fresh notice was issued on 2nd January, 2019, scheduling the hearing on 9.1.2019. Thereafter, on several occasions, the petitioner was intimated on telephone with regard to the hearing, but the petitioner did not participate in the hearing.

3. The learned advocate for the petitioner submits that he was exam going between 8th January, 2019 till 12th January 2019. Thereafter, he claims to have tried to contact the competent Committee. The representation is tendered on 12.7.2022, which is after more than three and half years.

4. In view of the above, this was a fit case to be imposed with costs, considering the conduct of the petitioner. However, the learned advocate for the petitioner submits that the father of the petitioner has passed away and the petitioner is a poor person. Hence, we are not imposing costs.

5. In several matters, we have been informed by the Maharashtra University of Health Sciences that the Colleges have been intimated not to withhold the internship certificates.

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

A) Respondent No. 3 shall release the internship

completion certificate of the petitioner.

- B) The other documents, including the degree certificate of the petitioner, would not be released, until his claim before the Competent Committee is validated.
- C) The petitioner agrees to appear before the Competent Committee at Aurangabad on 15th September, 2022 at 2.00 p.m. along with his written notes of submissions/arguments and would also orally address the Committee.
- D) Pursuant to the hearing as above, the Competent Committee shall deliver it's decision/order, on or before 21st October, 2022.
- E) Needless to state, if the petitioner dodges the hearing on 15th September, 2022, the Committee would be justified in closing the matter for orders.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/