

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

77 WRIT PETITION NO.12877 OF 2022

NIRAJ NAGESH LAKHMAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH IT'S SECRETARY AND
OTHERS

Mr.S.M.Vibhute, Advocate for the petitioner.
Mr.S.G.Karlekar, AGP for respondent Nos. 1 and 2.
Mr.S.B.Pulkundwar, Advocate for respondent No.4.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : DECEMBER 19, 2022

PER COURT :

1. The petitioner was admitted to the MBBS Course with respondent No.3 / College in 2016. He passed out in 2021. He had acquired admission on a seat that was reserved for the ST category. He claims to be belonging to the Mannerwarlu ST. He got a tribe validity certificate on 06.04.2022. His contention, therefore, is that respondent Nos. 1 and 2 have to decide the issue of reimbursement of the fees to the College considering that the petitioner's validity certificate has been filed and it is established that he belongs to the reserved category. The reimbursement of fees is applicable to the reserved category seats.

2. In view of the above, this petition is disposed off. The petitioner is at liberty to move a representation to respondent No.3 and we expect from respondent No.3 to submit the proposal for reimbursement of fees in relation to the case of the petitioner, to respondent No.2, on or before 21.01.2023.

3. Upon receipt of such proposal, respondent Nos. 1 and 2 would decide the same and in the event of it being a fit case for reimbursing fees to respondent No.3 / college, the said action be completed by respondent Nos. 1 and 2, on or before 15.03.2023. If an adverse order is passed by respondent Nos. 1 and 2 with regard to reimbursement of fees with relation to the petitioner's seat, any aggrieved party is at liberty to seek redressal of its grievance.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)