

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

41 WRIT PETITION NO.14710 OF 2021

**TUSHAR DHANARAJ JAMADAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Jadhavar Pratap V.
AGP for Respondent/s-State : Mr. P. K. Lakhotia.
Advocate for Respondent No.4 : Mr. Kishor Sant.

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**CORAM : A. S. GADKARI, AND
S. G. MEHARE, JJ.**

DATE : 03.01.2022

PER COURT :-

1. The caste validity claim of the petitioner is pending for adjudication before Respondent No.2 since March 2019.
2. The result of the petitioner for the 4th year course of B.A.M.S. has been withheld by Respondent No.4 on the ground that the caste certificate of the petitioner has not been validated till date.
3. In view thereof, Respondent No.3 is directed to decide the tribe claim of the petitioner within a period of four (4) months from the date of receipt of the present order.

4. Respondent No.4 is directed to declare the result of the petitioner, if otherwise he is entitled for and shall not withhold it for want of caste validity certificate. If the petitioner successfully clears his B.A.M.S. course, respondent Nos.3 and 4 are further directed to permit the petitioner to join internship as has been prescribed by the Rules framed by the Government in that behalf.

5. It is made clear that in case the tribe claim of the petitioner is not accepted by respondent No.3, the petitioner shall not claim equity as a matter of right and the law shall take its own course.

6. Petitioner is directed to appear before Respondent No.2 on 11.01.2022 at 11.30 a.m. without any excuse.

7. Petition is allowed in the aforesaid term.

8. All the concerned to act on the authenticated copy of the present order.

(S. G. MEHARE, J.)

(A. S. GADKARI, J.)

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vmk/-