

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10253 OF 2018

Prashant Mahadeo Mahurkar ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Sudhakar Thorat i/b. Mrs. Amruta D. Devkat, Advocate
for the Petitioner.

Smt. S. S. Bhende, AGP for Respondent Nos.1 to 3/State.

Mr. Vikas Kolekar, Advocate for Respondent No.4.

**CORAM: S.V. GANGAPURWALA &
 S. M. MODAK, JJ.**

DATED : JULY 28, 2022

P.C.

1. The learned Counsel for the petitioner submits that the petitioner had filed a proposal seeking validation of the caste claim in the year 2013 with the Committee at Kolhapur. In the year 2016, the matter of the petitioner was transferred to Sangli. The proceedings are not decided.

2. Under order dated 24th June 2022, we had directed learned AGP to take instructions as to the status of the petitioner's proceedings. On 14th July 2022, we had recorded the statement of learned AGP that the file of the petitioner is not traceable.

3. Today, the learned AGP, on instructions, submits that the file of the petitioner is not traceable, however, the

learned AGP, on instructions, affirms that the file of the petitioner was transferred from Committee at Kolhapur to Committee at Sangli along with the caste certificate.

4. In light of the above, the only alternate relief would be to reconstruct the file. The petitioner shall submit all the documents afresh to the Committee at Sangli along with caste certificate. Upon the proposal being received, the Committee shall decide the validation proceedings afresh expeditiously. Considering the long delay that has already taken place, the petitioner shall, within fifteen days from today, hand over all the documents to the Committee at Sangli so that the Committee would reconstruct the file. As already observed, the Committee shall take decision upon it expeditiously preferably within six months from the date the petitioner hands over all the documents.

5. Upon the decision being taken by the Committee, further steps be undertaken by the parties in tune with the decision of the Committee. The respondent shall return the documents submitted by the petitioner, however, shall not issue the degree certificate unless the plaintiff produces the validity certificate.

6. Parties may take further steps depending upon the decision that would be delivered by the Committee in the validation proceedings.

7. The writ petition is disposed of. No costs.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)