

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2198/2021

Siddhant s/o Uddhavrao Wankhede
through father as natural guardian
Shri Uddhavrao Bhagawan Wankhede,
aged about 50 years. Occupation : Private Service.
R/o Gurudev Nagar, Gurukunj Ashram,
Tq. Tiwasa, District Amravati.

..... **PETITIONER**

...V E R S U S...

- 1] The State of Maharashtra,
through its Secretary O.B.C.Bahujan Welfare
Department, Maharashtra State,
Mantralaya, Mumbai 400 032.
- 2] The State of Maharashtra,
through its Secretary Social Justice and Special Assistance
Department,
Mantralaya, Mumbai 400 032.
- 3] The State of Maharashtra,
through its Secretary Medical Education and Drugs
Department, Gokuldas Tejpal Hospital,
9th Floor, Lokmanya Tilak Marg, Mumbai 400 001.
- 4] The Commissioner & Competent Authority,
State CET Cell, Maharashtra State,
Mumbai.
- 5] The Director,
Medical Education and Research,
Mumbai.
- 6] The Commissioner,
Other Backward Class (OBC) Welfare Department,
Maharashtra Sate, Pune.
- 7] The Assistant Commissioner,
Social Welfare, Samajik Nayaya Bhavan,
'B' Wing, Near Nasardi Bridge, Pune Road,
Nashik 422 011.

8] The Dean,
Dr. Vasantrao Pawar Medical College, Hospital and
Research Centre,
Vasant Dada Nagar, Adgaon,
Nashik-422 003.

..... **RESPONDENTS**

Shri V.A.Kothale, Advocate for petitioner.

Shri A. A. Madiwale, Assistant Government Pleader for respondent nos. 1, 2,
3, 5, 6 and 7

CORAM : A.S.CHANDURKAR and PUSHPA V. GANEDIWALA, JJ.
DATED : 19th JANUARY, 2022.

ORAL JUDGMENT (Per A.S.CHANDURKAR, J.)

Rule. Rule made returnable forthwith. Heard learned counsel for the parties.

2. The grievance raised by the petitioner is with regard to release of 50% tuition fees as scholarship amount since the petitioner claims that he belongs to Other Backward Category and was selected on his own merit in the M.B.B.S. course in the academic year 2016-17. The petitioner has made various representations in that regard and the last one is dated 14.11.2019 as made to the respondent no.1. Since no decision is taken on his representation, the petitioner has approached this Court.

3. In the reply filed by the respondent nos. 1, 6 and 7 reference is made to the Government Resolution dated 19.06.2018 wherein the modality of resolving grievances of students belonging to the reserved category who

have got admission in various courses has been laid down. The same requires a complaint to be made initially before the Regional Deputy Commissioner of the respective divisions. The facts indicate that the petitioner was admitted for the M.B.B.S. course in the academic year 2016-17 and the Government Resolution dated 19.06.2018 has come into effect thereafter. Since the grievance of the petitioner pertains to the period prior to the said Government Resolution came into effect, the interests of justice would be served by directing the respondent no.1 to take a decision on the last representation made by the petitioner which is dated 14.11.2019.

4. Hence the writ petition is disposed of by directing the respondent no.1 to take a decision on the representation dated 14.11.2019 within a period of four weeks from the production of a copy of this order before it. The decision be taken on merits in accordance with law and same be communicated to the petitioner thereafter. All other points on merits raised in the writ petition are kept open.

Rule is made absolute in aforesaid terms with no order as to costs.

(PUSHPA V. GANEDIWALA, J.)

(A.S.CHANDURKAR, J.)

Andurkar..