

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

WRIT PETITION NO. 6625 OF 2022

Abdul Sameed Qureshi s/o Abdul Saleem Qureshi,
Age 23 years, Occ. Student and presently
doing private service, r/o. Madina Nagar,
Degloor Naka, Nanded.

... **Petitioner**

VERSUS

1) The State of Maharashtra,
Through its Principal Secretary,
Social Welfare Department,
Mantralaya, Mumbai-32.

2) The Caste Scrutiny Committee,
Nanded.

3) Dr. Babasaheb Ambedkar Technological
University, Lonere, Raigad Maharashtra,
Through its Registrar.

4) Mahatma Gandhi Mission Engineering
College, near Airport Hingoli Road,
Nanded, through its Director.

5) Principal of Mahatma Gandhi Mission
College of B.C.S. Technology Nanded.

... **Respondents**

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Advocate for the Petitioner : Mr. Kazi S.S.
A.G.P. for the Respondent Nos. 1 & 2 : Mr. S.B. Yawalkar
Advocate for Respondent No. 3 : Mr. A.R. Borulkar
Advocate for Respondent Nos. 4 & 5 : Mr. Swapnil Kadam h/f Mr. S.K.
Kadam

CORAM : **MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : **12.09.2023**

PER COURT :

Heard.

2. The petitioner is challenging the order of the respondent-scrutiny committee refusing to complete the exercise of verification for failure of the petitioner to approach it and to discharge the burden cast on him by virtue of Section 8 of the Maharashtra Act XXIII of 2001.

3. The learned advocate for the petitioner submits that he had been to the committee on few occasions. However, subsequently he was never informed the dates and even he came to know about the order under challenge belatedly since it was merely by way of communication that the committee had sent back the proposal to the college without a decision.

4. Since it is a matter of social status, though the petitioner is to be blamed for the situation he is in, taking a pragmatic view it would be appropriate that the college is directed once again to submit the proposal to the scrutiny committee and the committee is thereafter called upon to decide it.

5. We allow the writ petition partly. We direct the respondent No. 4-College to once again forward the petitioner's proposal to the respondent No. 2-scrutiny committee within two weeks. The committee shall thereafter decide the proposal as expeditiously as possible and in any case within four months from the date of receipt of the proposal.

6. Till the time the petitioner's result be declared however no degree certificate shall be issued. The respondent No. 4-College, after it sends the proposal shall intimate the petitioner who shall appear before the scrutiny committee on 03.10.2023.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-