



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3534 OF 2024

Akshay Balaji Anmod

... PETITIONER

VERSUS

1. The State of Maharashtra
through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai
2. The Additional Tribal Commissioner
Tribal Development Building, Giripeth,
Amravati Road, Nagpur, Dist. Nagpur
3. The Project Officer,
Integrated Tribal Development Project
Nagpur Division, Dist. Nagpur
4. The Registrar
Rashtrasant Tukdoji Maharaj
Nagpur University, Nagpur
Dist. Nagpur
5. The Principal
Yashantrao Chavan College
of Engineering, Wanadongari,
Nagpur, Dist. Nagpur.

... RESPONDENTS

...

Advocate for the Petitioner : Mr. G.K. Chinchole h/f.

Mr. Sunil Mahadevappa Vibhute

AGP for Respondents: Mr. K.S. Patil

Advocate for Respondent No.5 : Mr. G.R. Bhumkar h/f. Mr. R.P. Bhumkar

...

CORAM

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

DATE

: **08.07.2024**

PER COURT:

We have heard the learned advocate for the petitioner,
learned AGP and learned advocate Mr. G.R. Bhumkar holding for Mr. R.P.
Bhumkar for respondent No.5.

2. None present for respondent No.4 – University although it has filed the affidavit-in-reply.

3. The petitioner's only grievance is that in spite of having secured admission against a reserved seat and having been able to take benefit of reservation in the matter of payment of fees, in spite of having completed the entire degree course of four years, only for the last year for, want of appropriate steps by respondent No.5 – College, the proposal was not forwarded and consequently there is no order of reimbursement. It is the petitioner's grievance that for want of payment of fees/reimbursement for the last year all his papers/certificates are being withheld.

4. In the affidavit-in-reply of respondent No.4 – University it has been expressly mentioned that it is only after approval was granted to the admission of the petitioner by the Admission Regulating Authority that necessary steps can be taken for issuing the petitioner with degree certificate, if the petitioner could succeed in getting the free-ship for first three academic year that must have been after the approval to the admission was granted by the Admission Regulating Authority. We fail to understand as to how even for the fourth year any approval of the Admission Regulating Authority would be needed.

5. The respondent No.5 - Management in paragraph No.4 of the affidavit-in-reply has expressed its willingness to undertake necessary process for claiming reimbursement for the final year fees subject to the

petitioner submitting the original caste validity certificate. Again we cannot comprehend as to why the original caste certificate would be needed for being forwarded to the respondent Nos.1 to 3 and why cannot it happen on the basis of an attested copy duly verified from the original by the college authorities.

6. We allow the writ petition as under :

- a. The petitioner shall furnish the original caste validity certificate together with an attested copy to respondent No.5 - College within one week, whereupon, respondent No.5 after verifying correctness of the attested copy from the original caste validity certificate, shall return the original to the petitioner and thereafter undertake the further process of forwarding the proposal to respondent Nos.1 to 3 who shall thereafter consider it in accordance with law.
- b. Irrespective of any decision by the authorities, even without waiting for any approval by respondent Nos.1 to 3, respondent Nos.4 and 5 shall issue all the necessary certificates and documents to the petitioner immediately, subject to the petitioner furnishing an undertaking before them that if so ordered by the Court he would pay the fees for the last year.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)