



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11842 OF 2015
WITH CA/9964/2023 IN WP/11842/2015

Prajakta d/o Sureshrao Kadam
Age: 27 years, Occu.: Student,
R/o. Gosavi's House, Trimurty Nagar,
Near Gajanan Maharaj Mandir,
Parbhani.

.. Petitioner

Versus

1. The State of Maharashtra
Through Secretary, Tribal
Development Department,
Maharashtra State,
Mantralaya, Mumbai.
2. The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad
Division, Aurangabad.
Through its Member Secretary.
3. The Director of Medical Education
and Research, CET Cell,
St. George's Hospital Compound,
Opp, Govt. Dental College Building,
Near Chhatrapati Shivaji Terminus
(CST), Mumbai.
4. Maharashtra University of Health
Sciences, Vani Road, Nashik,
Through its Registrar.
5. The Dean,
Government Ayurvedic College,
Nanded.

.. Respondents

...

Mr. M. L. Paithane h/f Mr. A. S. Golegoankar, Advocate for petitioner.
Mr. N. S. Tekale, AGP for respondent Nos.1 and 2.
Mr. J. R. Patil, Advocate for respondent No.4.

**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATE : JANUARY 16, 2024.

ORDER :-

. The writ petition was filed for direction to respondent No.2 Committee to decide the tribe claim of the petitioner, which is pending since 18.12.2013. The petition is filed in the year 2015 and it is still pending. By order dated 08.12.2015, interim relief was granted in the nature that no coercive action to be taken against the petitioner on the ground of her failure to produce the caste validity certificate. Further by way of filing Civil Application No.9964 of 2023 on 24.07.2023, she prayed for direction against respondent No.3 to 5 to allow her to appear for examination and complete her remaining studies, pending decision of the Committee. It appears that it is in respect of her desire to appear for third year exam. But now it appears that the said exam would have been over, thereby the said civil application as regards prayer clause 7(b) has become infructuous. Prayer clause 7(c) is in fact, the main prayer in the petition.

2. Learned AGP, on instructions, submits that the Committee would take one month to decide the tribe claim of the petitioner. The said statement is taken as undertaking and instead of keeping the matter further pending, it can be so disposed of on the basis of the statement made. Hence, the

following order :-

ORDER

1. Writ Petition stands allowed.
2. Respondent No.2 Committee to decide the tribe claim of the petitioner within a period of one month from the date of this order.
3. Civil Application No.9964 of 2023 stands disposed of.
4. No coercive action be taken against the petitioner on the ground of her failure to produce caste validity certificate till the decision by the Committee.

[S. G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm