



NON-REPORTABLE

CIVIL APPEAL NO. OF 2025
(Arising out of SLP(C) No.29516 of 2024)

...APPELLANT(S)

**THE REGISTRAR NORTH MAHARASHTRA
UNIVERSITY AND ANOTHER ...R**

...RESPONDENT(S)

J U D G M E N T

B.R. GAVAI, J.

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in OBC Category, had applied for B.Tech (Chemical Engineering) in Respondent No.2/College. The appellant applied for and got admission against a seat reserved for OBC Category. Since the appellant claimed to be belonging to OBC Category, his caste certificate was sent for verification before the Scrutiny Committee in the year 2015. Since the claim of the appellant was not being decided, he was required to approach the High Court of Judicature at Bombay, Bench at Nagpur in the year 2017. The Division Bench of the High Court vide judgment and order dated 10th February 2020, rendered in Writ Petition No.5170 of 2017, found that though the appellant, by passage of time, appeared for final year examination still his claim was not being decided. The High Court, therefore, directed the claim to be decided within a stipulated period. The High Court also awarded a total costs of Rs.75,000/- in favour of the appellant herein to be paid by the three members of the Scrutiny Committee.

5. It appears that subsequently the caste claim of the appellant was invalidated. Since the mark-sheets and the degree certificate were not being released by the respondents, the appellant approached the Aurangabad Bench of the High

Court of Judicature at Bombay. By the impugned judgment and order, the writ petition was rejected on the ground that though the appellant had taken admission against a seat reserved for OBC category, the claim of the appellant has been invalidated and so he was not entitled to any relief.

6. We have heard Ms. Shilpa Giratkar, learned counsel appearing for the appellant.

7. We find that though the appellant had applied for verification of his caste certificate, the Scrutiny Committee did not decide the same within a reasonable period. Ultimately the appellant was required to approach the High Court, which petition was allowed. The High Court also noted the callous attitude of the Members of the Scrutiny Committee and awarded costs of Rs.75,000/- to the appellant.

8. In the peculiar facts and circumstances, as the appellant has already completed his course, we find that the education undertaken by the appellant herein deserves to be protected. We, however, clarify that the appellant would hereinafter not be entitled to any of the benefits as are available to the members of OBC Category.

9. In that view of the matter, the respondents are directed to release the marks sheets and degree certificate of the appellant within a period of four weeks from today.

10. We clarify that we are passing the present order in the peculiar facts and circumstances of the case and the same would not be treated as a precedent.

11. The appeal is, accordingly, disposed of.

12. Pending application(s), if any, shall stand disposed of.

.....**J.**
(B.R. GAVAI)

.....**J.**
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
MAY 07, 2025.