

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

WRIT PETITION NO. 7341 OF 2018

Pallavi Kanbarao Kharode
Age : 18, Occu: Education,
R/o. At. Post. Jamgavhan, Post Sukali (Veer),
Tq. Kalamnuri, Dist. Hingoli. ...Petitioner

Versus

1. The Directorate of Medical Education,
Government Dental College and Hospital
Building, Saint George Hospital Mumbai.
2. The Commissioner and Competent
Authority, State Common Entrance Test Cell,
Maharashtra State, Mumbai.
3. The Scheduled Tribe Certificate
Scrutiny Committee, Aurangabad. ...Respondents

Mr. V. B. Patil, Advocate for Petitioner
Mr. V.S. Badakh, AGP for Respondent-State
Mr. M. D. Narwadkar, Advocate for Respondent No.2

**CORAM : R.M.BORDE AND
A.M. DHAVALÉ,JJ.**

DATE: 6th JULY, 2018

ORAL JUDGMENT (Per R.M. Borde, J)

1. Heard.
2. Rule. Rule returnable forthwith. With the consent of the parties, petition is taken up for final disposal at the stage of admission.

3. The petitioner claims to belong to Andh (1), Scheduled Tribe and has tendered application for securing admission to medical course as against the seat reserved for Scheduled Tribe. The petitioner has appeared for National Eligibility Cum Entrance Test (UG) and is placed at the rank of 125718 in the merit list. The petitioner claims that her Scheduled Tribe category rank is 1850, and according to her, she is desirous to take admission to medical course as against the seat reserved for S.T. category. The petitioner was issued the caste certificate and validity certificate, wherein her surname is recorded as Kharwade whereas, the surname of the petitioner is Kharode. The typographical mistake was revealed at the later point of time. The petitioner, as such tendered application to the Sub Divisional Officer for issuance of corrected tribe certificate and after securing the corrected tribe certificate, she approached to the Scrutiny Committee for issuance of validity certificate indicating the correct surname of the petitioner. The petitioner is in receipt of the correct certificate of validity dated 3rd July, 2018. The claim of the petitioner for admission to medical course has not been considered by the respondent-Authority for the reasons that on the date prescribed for document verification, she was not possessing the corrected caste certificate and validation certificate indicating the correct surname of the petitioner.

4. It is not a matter of dispute that the State Government has permitted the students belonging to reserved category to tender the validity certificate by 6th August, 2018. Since the petitioner is in possession of the validation certificate, her claim for admission to medical course deserves to be considered during the second round of admission. The respondents are thus directed to consider the claim of the petitioner for admission to medical course as against the seat reserved for S.T. category during the second round of admission. With the directions as above, the writ petition is disposed of.

5. Rule is made absolute accordingly in above terms. There shall be no order as to costs.

(A.M.DHAVALA)
JUDGE

(R.M.BORDE)
JUDGE

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