

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2031 OF 2017

Karan Jasraj Purohit	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.432 OF 2017
ALONGWITH
CIVIL APPLICATION NO.1862 OF 2017
IN
WRIT PETITION NO.432 OF 2017**

Miss. Maria Shanawaz Shaikh	..Petitioner/Applicant
Versus	
State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.729 OF 2017**

Dr. Rubina Mohammad Ali Merchant	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.731 OF 2017**

Ms. Nausheen Firoz Khan	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.2029 OF 2017**

Qadri Mohammed Israrul Hag	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.2030 OF 2017**

Mansuri Nuaman Abdul Sattar	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.2614 OF 2017**

Ms. Aniqah Sarwat Ehtesham Khan	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.2752 OF 2017**

Mr. Arik Arif Reshamwala	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.2753 OF 2017**

Aayesha Arif Reshamwala	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
WRIT PETITION NO.3539 OF 2017**

Miss. Khan Areeba Ikram Moinuddin	..Petitioner
Versus	
The State of Maharashtra and others	..Respondents

**ALONGWITH
CIVIL APPLICATION NO.1563 OF 2017
IN
WRIT PETITION NO.3539 OF 2017**

Tribal Doctor Forum
Through Dr. Ramkrishna Pedhekar and others ..Applicants
Versus
Ms. Khan Areeba Ikram Moinuddin ..Respondents

ALONGWITH
WRIT PETITION NO.5689 OF 2017

Ms. Afrin Abdul Aziz Mukadam ..Petitioner
Versus
The State of Maharashtra and others ..Respondents

ALONGWITH
WRIT PETITION NO.8525 OF 2017

Mr. Shadaad Shakir Reshamwala ..Petitioner
Versus
The State of Maharashtra and others ..Respondents

ALONGWITH
WRIT PETITION NO.12138 OF 2017

Farheen S. Gola ..Petitioner
Versus
R. J. Somaiya College of Physiotherapy
and others ..Respondents

ALONGWITH
WRIT PETITION NO.13817 OF 2016
ALONGWITH
CIVIL APPLICATION NO.1138 OF 2017
IN
WRIT PETITION NO.13817 OF 2016

Mr. Khan Obaidullab Mohd. Asif ..Petitioner/Applicant
Versus
The State of Maharashtra and others ..Respondents

**ALONGWITH
WRIT PETITION NO.14112 OF 2016
ALOGNWITH
CIVIL APPLICATION 2696 OF 2017
IN
WRIT PETITION NO.14112 OF 2016S**

**Mr. Shaikh Subhan Ali Abdulgani and another ..Petitioner/Applicant
Versus
State of Maharashtra and others ..Respondents**

Mr. Vijay P. Agale, Advocate for the Petitioner in WP No.2031 of 2017, WP No.432 of 2017, WP No.729 of 2017, WP No.731 of 2017, WP No.2029 of 2017, WP No.2030 of 2017, WP No.2614 of 2017, WP No.5689 of 2017, WP No.13817 of 2016, WP No.14112 of 2016, and Applicant in CAW No.1682 of 2017 and CAW No.1138 of 2017.

Mr. R. G. Shatalkar i/by Madhuri P. Shinde, Advocate for the Petitioner in WP No.2752 of 2017, WP No.2753 of 2017, WP No.3539 of 2017 and WP No.8225 of 2017.

Ms. S. N. Randive i/by Swapna P. Kode, Advocate for Petitioner in WP No.12138 of 2017.

Mr. Sushil Upadhyay i/by Mr. A. M. Saraogi, Advocate for the Applicant in CAW No.2696 of 2017.

Mr. S. B. Kalel, AGP for Respondent Nos.1 and 2 in WP No.2031 of 2017, WP No.432 of 2017, WP No.729 of 2017, WP No.731 of 2017, WP No.2029 of 2017, WP No.2030 of 2017, WP No.2614 of 2017, WP No.2752 of 2017, WP No.2753 of 2017, WP No.3539 of 2017, WP No.5689 of 2017, WP No.8525 of 2017.

Mr. Vikas Mali, AGP for Respondent Nos.2 and 3 in WP No.12138 of 2017.

Mrs. Rupali M. Shinde, AGP for Respondent Nos.1 and 2 in WP No.13817 of 2016.

Ms. Nisha Mehra, AGP for Respondent Nos.1 and 2 in WP No.14112 of 2016.

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Mr. Pradeep Patil, Advocate for Respondent – MCGM in WP No.729 of 2017, WP No.731 of 2017, WP No.2614 of 2017, WP No.13817 of 2016 and WP No.14112 of 2016.

Mr. Kashinath K. Jadhav a/w Mr. J. K. Jadhav, Advocate for Respondent No.1 in WP No.12138 of 2017.

Mr. Mihir R. Govilkar i/by Mr. R. V. Govilkar, Advocate for Respondent No.4 in WP No.13817 of 2016.

**CORAM : B. R. GAVAI &
B. P COLABAWALLA, JJ.
DATE : 15th FEBRUARY, 2018**

PC.

1] The Petitions have been circulated by the learned AGP. The Petitioners were admitted against the seats reserved for various reserved categories. However, complaints were received that the Petitioners had submitted fraudulent certificates of their Caste/Tribe. The Petitioners were therefore issued show-cause notices for cancellation of their admissions. However, since the replies were not found satisfactory and it was found that the Caste Certificates as well as Caste Validity Certificates issued to the Petitioners were fraudulent, the admissions were cancelled. Being aggrieved thereby, the Petitioners have approached this Court.

2] The only contention raised in the Petitions is that the order of cancellation of admission was passed without following proper procedure. However, it is to be noted that the respective competent

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authorities who had allegedly issued Caste Certificates and Caste Validity Certificates had themselves informed the Directorate of Medical Education that such Validity Certificates were never issued to the Petitioners. As a matter of fact, on the last date, Mrs. Swapna P. Kode appearing for the Petitioner in Writ Petition No.12138 of 2017 had not disputed the fact of the certificates being fraudulently issued but submitted that the Petitioners had become victim of racket which was issuing fake, fraudulent Caste Certificates and Caste Validity Certificates.

3] The jurisdiction of this Court under Article 226 of the Constitution of India, cannot be permitted to be used to perpetuate the fraud and illegality. In that view of the matter, the Petitions are rejected.

4] Needless to state that ad-interim protection, if any stands withdrawn.

5] Needless to state that in view of disposal of Writ Petitions, Civil Applications do not survive and accordingly stand disposed of.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]