

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

**CRIMINAL WRIT PETITION NO.873 OF 2018**

**Aakif Arif Reshamwala and anr. : Petitioners.**

**Versus**

**The State of Maharashtra and anr. : Respondents.**

**Mr. Prashant Pandey a/w Ms. Pragati Shirke i/by Sayed Abbas Naqvi for  
the Petitioners.**

**Mrs. A S Pai, Addl.PP for the Respondent/State.**

**CORAM : R. M. SAVANT &  
REVATI MOHITE DERE, JJ.**

**DATE : 20<sup>th</sup> JUNE 2018**

**P.C.**

1           The above Writ Petition has been filed for return of the original documents of the Petitioners whose admissions to the MBBS Course have been cancelled on the ground that they were admitted on the basis of the bogus caste certificates. The Petitioners it seems have again appeared at the Common Entrance Test and have sanguine hopes of getting admission in a medical college in the open merit category.

2           In so far as return of the original documents are concerned, the Joint Director (Medical), Medical Education & Research Dr. Prakash Tulshiram Wakode has filed an affidavit in the above Writ Petition. In the context of the relief sought in the above Writ Petition the statement made in paragraph 14 of the said affidavit assumes importance. The statement is to the following effect :-

(Excerpt)

“ the original documents of petitioner will be returned only after payment of penalty”

3           Hence it is not as if the authorities are refusing to return the original documents to the Petitioners which they had submitted on the earlier occasion when they had sought admission on the basis of the bogus caste certificates but the same would be on the pains of paying penalty as per the Government Resolution. Hence if the Petitioners pay penalty as stipulated by the State Government, the authorities i.e. the office of the Directorate of Medical Education and Research, Mumbai would see to it that the original documents are returned to the Petitioners.

4           With the aforesaid observations, the above Writ Petition is disposed of.

**[REVATI MOHITE DERE, J]**

**[R.M.SAVANT, J]**