

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

**WRIT PETITION (ST) NO. 23152 OF 2018**

|                                        |   |                    |
|----------------------------------------|---|--------------------|
| <b>Bhushan Rajendra Ahire and Anr.</b> | } | <b>Petitioners</b> |
| <b>versus</b>                          |   |                    |
| <b>The State of Maharashtra</b>        | } |                    |
| <b>and Ors.</b>                        | } | <b>Respondents</b> |

Mr. R. K. Mendadkar for the petitioners.

Mr. S. B. Kalel-AGP for State.

**CORAM :- S. C. DHARMADHIKARI &  
SMT. BHARATI H. DANGRE, JJ.**

**DATE :- AUGUST 10, 2018**

**P.C. :-**

1. Heard both sides. We have perused the order passed by the Scrutiny Committee impugned in this case. We have also perused the annexures to the writ petition. This matter was heard on both, 9th and 10th August, 2018. We find that the impugned order is unsustainable in law. Hence, the following order:-

(i) Rule is made absolute in terms of prayer clauses (a), (b) and (c). The impugned order of the Scrutiny Committee is quashed and set aside.

(ii) Relying on the above, the authority in-charge of the admission process, namely, the third respondent shall allow the petitioners to participate in the ongoing process on the basis of this order and should not

exclude them merely because the caste validity certificates directed to be issued in terms of this order are not ready. Our order should be enough to allow the petitioners to so participate.

(iii) The learned AGP shall communicate this order to respondent nos. 2 and 3. The certificate of validity should be issued on or before 16th August, 2018.

2. With the aforesaid directions, the writ petition is disposed of.

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)

Jayant  
Vishwanath  
Salunke

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Vishwanath  
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