

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

CIVIL APPLICATION NO.5935 OF 2019  
IN WP/775/2018

SHESHRAO LAXMAN BATULE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Applicant/ original petitioner No.1 : Mrs.Kulkarni M.A.

AGP for Respondents 1 to 3 : Shri N.T.Bhagat.

Advocate for Respondents 5 to 10 : Shri C.V.Bodkhe h/f Shri R.V.Gore.

Advocate for Respondent 4 : Shri D.K.Rajput.

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**CORAM: RAVINDRA V. GHUGE, J.**

**DATE :- 03<sup>rd</sup> May, 2019**

**Per Court:**

1           The applicant/ original petitioner No.1 prays for leave to make correction in paragraph 3 of the Civil Application.

2           The learned advocate for the applicant submits that the prayer clauses are wrongly drafted. What is sought is a correction in paragraph 4 of the order of this Court dated 29.04.2019.

3           Leave to correct the prayer clause in the civil application. Correction be carried out forthwith.

4           The learned advocate for respondent Nos.5 to 10 submits that he was categorically mentioning on 29.04.2019 that no caste validity certificate is received by petitioner No.1. However, Mrs.Kulkarni, learned

advocate for the applicant/ petitioner No.1, had submitted by stating that she had spoken to petitioner No.1 twice and she has confirmed that he has received his caste validity certificate and he would be producing it before the District Collector on 13.05.2019. The learned advocate for respondent Nos.5 to 10, therefore, submits that a false statement is made before this Court. The new ordinance will not protect petitioner No.1 if he does not submit the caste validity certificate with the appropriate authority on or before 13.05.2019, which is the prescribed period of three months from the publication of the ordinance in the gazette dated 14.02.2019.

5           Mrs.Kulkarni now concedes that petitioner No.1 has still not received the caste validity certificate. In view of the above, it is obvious that the applicant/ petitioner No.1 has made a wrong statement before this Court.

6           As such, this Civil Application is partly allowed. On the condition that the applicant/ petitioner No.1 (Sheshrao Laxman Batule) shall deposit an amount of Rs.5000/- (Rupees Five Thousand) as donation for the Ghati Hospital, Aurangabad (Government Medical College and Hospital, Aurangabad), to be deposited with the Medical Officer, High Court Dispensary, Aurangabad, either in cash or by Demand Draft, to be drawn in the name of "Dean, Government Medical College and Hospital Dengi Samiti, Aurangabad" and produce a receipt of such deposit before the Registry of this Court on or before 10.06.2019, the observations set

out in paragraph 4 of the order of this Court dated 29.04.2019 shall not come in the way of the applicant/ petitioner No.1 in appearing before the District Collector on 13.05.2019.

7           Needless to state, if the amount as directed above is not deposited, the writ petition shall stand dismissed without reference to the court on 11.06.2019.

*kps*

**(RAVINDRA V. GHUGE, J.)**