

Sequeira

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

PUBLIC INTEREST LITIGATION NO. 95 OF 2018

Vinakar Foundation Pranit Vishesh
Magaspravarg Sangharsha Samiti

.. Petitioner

Vs

State of Maharashtra and others

.. Respondents

Mr.Chintamani Bhangoji i/b Mr.R.K.Mendadkar, for the Petitioner

Mr.P.P.Kakade – Government Pleader a/w Mr.K.S.Thorat –
Additional Government Pleader, for Respondents.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M.JAMDAR, J.***

Date : 18 July, 2019.

P.C. :

1. Grievance in the Public Interest Petition is not to separately provide 2% reservation for admission in medical, engineering and professional degree courses in the State of Maharashtra and clubbing members of the Special Backward category with Other Backward Classes.

2. Suffice it to state that as per the Maharashtra Private Professional Educational Institutions [Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified

Tribes, Nomadic Tribes and Other Backward Classes] Act, 2006 vide Section 4 reservation is provided for as under:-

<u>Description of Caste/Tribe/Category/ Class of Reserved Category</u>	<u>Percentage of reservation</u>
(1) <i>Scheduled Castes and Scheduled Castes converts to Buddhism</i>	13%
(2) <i>Scheduled Tribes</i>	7%
(3) <i>De-notified Tribes (A)</i>	3%
(4) <i>Nomadic Tribes (B)</i>	2.5%
(5) <i>Nomadic Tribes (C)</i>	3.5%
(4) <i>Nomadic Tribes (D)</i>	2%
(4) <i>Other Backward Classes</i>	19%
<i>Total..</i>	<u>50%</u>

3. The note to Section 4 is to the effect that candidates belonging to the Special Backward category shall be considered from and out of their respective original/parent Reserved Category such as Other Backward Classes.

4. Unless the Petitioner challenges the said statutory provision, relief as prayed cannot be granted and thus we dismiss the Public Interest Petition. No costs.

N.M.JAMDAR, J.

CHIEF JUSTICE