

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

WRIT PETITION NO. 8221 OF 2019

Kum. Swati Sanjay Kathare	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

Mr.Avinash B. Patil for the petitioner.

Ms.Ashwini A. Purav-AGP for State.

**CORAM :- S. C. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ.**

DATED :- JULY 25, 2019

P.C. :-

1. The petitioner says that being a reserved category candidate, she was provisionally admitted in the common admission process post the National Eligibility-cum-Entrance Test (NEET). However, the condition of producing a caste validity certificate before the cut-off date and time could not be fulfilled by her not because of any fault on her part, but because of the fault of the statutory authorities. She was given a caste certificate and the caste name was mentioned as Somavanshiya Sahastrarjun Kshatriya. The validity certificate was also issued, but the corrected validity certificate was issued on 23rd July, 2019. Admittedly, this date of issuance is after 19th July, 2019, which was the prescribed cut-off date.

2. No candidate can be introduced in the common admission process even if the candidate says that the caste ought to have been specified as stated in para 12 of this petition. The error committed could not be said to be fatal is the submission and in any event, the petitioner cannot be blamed for that error. Equally, we do not think that the other authorities like those in-charge of admitting students to undergraduate medical courses post the NEET are at fault. They want what is styled as a caste validity certificate and to be produced before 19th July, 2019. That having admittedly not been produced, merely because there are further rounds which are going to be held, will not enable us to issue a writ as prayed for.

3. The writ petition is, therefore, dismissed. There would be no order as to costs.

(SANDEEP K. SHINDE, J.)

(S.C.DHARMADHIKARI, J.)