

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3010 OF 2019
(Mohini Hanumant Waghade vs. Union of India and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri C.S. Dhore, Advocate h/f Shri A.S. Dhore, Advocate
for petitioner.

Shri A. Deshmukh, Advocate for respondent no.1.

Shri H.R. Dhumale, Assistant Government Pleader for
respondent nos.4 to 6.

CORAM : R.K. DESHPANDE AND
S.M. MODAK, JJ.

DATED : APRIL 12, 2019

The petitioner applied for NEET examination in the month of October 2018 as a candidate belonging to “Other Backward Class” category on the basis of certificate issued to her on 10/9/2012. The change in the category was permissible during 14/1/2019 to 31/1/2019. The petitioner claims that as a result of the decision rendered by this Court on 14/8/2018, she became entitled to claim “Gond Gowari” caste, which is Scheduled Tribe. She realised this in the month of January 2019 and, therefore, she immediately applied for Scheduled Tribe certificate, which was issued on 28/2/2019.

The prayer in this petition is to permit petitioner to change her category from “Other Backward Class” to “Scheduled Tribe” category for appearance in

the NEET examination.

It is not possible for us to accede to the prayer made by the petitioner. The declaration by this Court in respect of Gond Gowari caste was on 14/8/2018. Thereafter the petitioner applied in October 2018 for NEET examination as a candidate belonging to “Other Backward Class” category. She applied for change in the category at the end of January 2019 and also for issuance of Scheduled Tribe certificate as “Gond Gowari”, which she got on 28/2/2019. We cannot permit the petitioner to change her category now on the basis of certificate dated 28/2/2019. In the admissions to medical courses, there is cut-throat competition. The candidates have to remain vigilant. To show sympathy by relaxing the requirements results in prejudicing the claims of others, who are vigilant. We cannot do this. The writ petition is dismissed.

JUDGE

JUDGE

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