

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

WRIT PETITION NO. 8108 OF 2020

Sanjana Balaji Ghogare

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Atul B. Hawale, Advocate for the Petitioner.

Mr. A. R. Kale, AGP for Respondent Nos. 1, 2, 5 and 6.

Mr. K. P. Rodge, Advocate h/f Mr. P. G. Rodge, Advocate for Respondent No. 3.

Mr. S. G. Karlekar, Advocate for Respondent No. 4.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 09th DECEMBER, 2020.

PER COURT:-

. The learned counsel for the petitioner submits that the petitioner has EWS certificate, but in the Central format. The petitioner belongs to Maratha caste. The petitioner has applied for the EWS certificate in the State format, but same is not issued only on the ground that the petitioner belongs to Maratha caste. The SEBC reservation for Maratha caste is stayed by the Apex Court. According to the petitioner, she belongs to EWS category.

2. We have also heard the learned A.G.P for respondent Nos. 1, 2, 5 and 6, Mr. Rodge, learned counsel for respondent No. 3 and Mr.

Karlekar, learned counsel for respondent No. 4.

3. The SEBC reservation extended to Maratha community in the State of Maharashtra is stayed by the Apex Court. The petitioner is ready to file an undertaking that throughout her educational career she will not claim benefit of any reservation except EWS.

4. The petitioner may file an undertaking to that effect with the authority. The authority shall take decision on the application filed by the petitioner for issuance of EWS certificate in the State format. The same shall not be rejected only on the ground that the petitioner belongs to Maratha caste. The authority will verify the economic and the financial position of the petitioner and of her parents and, if, it is found that the petitioner fits into the EWS category, then the certificate to the petitioner shall not be denied only on the ground that the petitioner belongs to Maratha caste. The application of the petitioner shall be decided by 11.12.2020.

5. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.