

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

929 WRIT PETITION NO.8436 OF 2020

VAISHNAVI MAROTI WADJE  
VERSUS  
THE STATE OF MAHARASHTA AND OTHERS

...  
Advocate for Petitioner : Mr. Anerao Panditrao S  
AGP for Respondents State: Mr. S. N. Kendre  
AND

930 WRIT PETITION NO.8437 OF 2020

KRANTI DIGAMBARRAO KADAM  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr. Dhage Vaibhav B.  
AGP for Respondents State: Mr. A. R. Kale  
Advocate for Respondents No.3: Mr. Sham B. Patil  
Advocate for Respondent No.4 : Mr. S. G. Karlekar  
AND

931 WRIT PETITION NO.8438 OF 2020

ABHIJEET MOHAN MANALE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr Manale Satish S  
AGP for Respondents State: Mr. K. N. Lokhande  
AND

935 WRIT PETITION NO.8444 OF 2020

JAIDATT AMRATESHWAR PATIL  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner :Mr. Shinde Dhananjay M.  
AGP for Respondents State: Mr. S. P. Tiwari  
Advocate for Respondent No.5: Mr. S. G. Karlekar  
AND

WRIT PETITION NO. 8457 OF 2020

VIRENDRA RAMRAO PATIL  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner :Mr. Ramchandra S. Patil  
AGP for Respondents State: Mr. S. P. Tiwari  
AND

WRIT PETITION NO.8458 OF 2020

SHRIRAM AJAY HIPPARGEKAR  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner :Mr. Yogesh K. Bolkar  
AGP for Respondents State: Mr. S. P. Tiwari  
AND

WRIT PETITION NO. 8459 OF 2020  
PRASHANT RAMKISHAN SURWASE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner :Mr. A. B. Hawale AND Y.K. Bobade .  
AGP for Respondents State: Mr. S. P. Tiwari  
AND

WRIT PETITION NO. 8460 OF 2020  
VISHAL SANJAY PAWAR  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner :Mr. Nilesh Jaysingrao Patil  
AGP for Respondents State: Mr. A. R. Kale

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

DATE : 18th December, 2020

**ORDER:**

1. Heard learned Counsel for the petitioners.
2. The petitioners have applied from E.W.S. category. They have been issued with the E.W.S. certificates in the central format. The learned Counsel submit that the petitioners belong to Maratha caste. The same is categorized as S.E.B.C. Because of the G.R. dated 28th July, 2020 a person from reserved category cannot apply from E.W.S. The Apex Court has stayed the reservation of S.E.B.C. The petitioners are ready to give an undertaking that they would not claim benefit of reservation for educational purpose at any point of time.
3. We have also heard the learned Government Pleader for the State and learned Counsel for the other respondents.

4. In the light of the above, we pass the following order.
5. The respondents may not deny the EWS certificate to the petitioners only on the count that they belong to Maratha caste. The respondents shall consider the petitioners on production of the EWS certificates required as per rules from EWS category. The petitioners shall not be entitled for benefit of any reservation for educational purposes, once having been admitted from EWS category.
6. Naturally, the petitioners will have to prove before the Tahsildar that they belong to economically weaker section then only would be entitled for EWS certificate.
7. The Tahsildar, Aurangabad shall consider if the petitioners are entitled for EWS certificate, then shall issue the same immediately.
8. If the petitioners are issued with the EWS certificates in the State format and undertaking is filed by the petitioners that during the entire educational career, they would not claim benefit of any reservation, either vertical or horizontal except EWS category, then the petitioners be considered for admission from EWS category.
9. Writ Petitions are accordingly disposed of. No costs.
10. Authenticated copy be given.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

JPC