

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8882 OF 2020

Vishwajit s/o Janba Pawar,
Age : 18 years, Occu. Education,
R/o Village Hadolti, Tq. Ahmadpur,
District Latur

PETITIONER

VERSUS

1. The State of Maharashtra,
through its Principal Secretary,
General Administration Department,
Mantralaya, Mumbai
2. Commissioner & Competent Authority,
CET Cell, Maharashtra,
Fort, Mumbai
3. The District Collector,
Latur, District Latur
4. The Tahsildar, Ahmadpur,
Tq. Ahmadpur, Dist. Latur

RESPONDENTS

Mr. V.C. Solshe, Advocate for the petitioner
Mr. S.R. Yadav, A.G.P. for the respondents/State

**CORAM : V.K. JADHAV AND
MANGESH S. PATIL, JJ.
(VACATION COURT)**

DATE : 24.12.2020

ORDER :

Heard the learned Advocate for the petitioner.

2. Issue notice to the respondents. The learned A.G.P. waives service of notice for the respondents.

3. With consent of both the sides, the matter is heard finally at the stage of admission.

4. It is the contention of the petitioner that he had applied from Socially and Economically Backward Class (SEBC) category. However, such a reservation has been stayed by the Supreme Court. According to the petitioner, even otherwise he falls under the category of Economically Weaker Section (EWS) and possesses a requisite certificate, issued by the competent authority. It is submitted on his behalf that in view of the decision of the Cabinet dated 22.09.2020, taken in the light of the decision of the Supreme Court granting stay to SEBC reservation, the candidates from that category can avail the benefit of EWS category also. The learned A.G.P. also submits that now the Government has also issued the Resolution on 23.12.2020 to this effect.

5. In view of above, we pass the following order :-

6. If the petitioner possesses EWS certificate in the State format and files an undertaking that during the entire educational career, he would not claim benefit of any reservation, either vertical or horizontal, except from EWS category, then he shall be considered for admission from EWS category.

7. The Writ Petition is disposed of.
8. The parties to act on the authenticated copy of this order.

[MANGESH S. PATIL]
JUDGE

[V.K. JADHAV]
JUDGE

npj/WP8882-2020