

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

WRIT PETITION NO. 10250 OF 2023

SRUSHTI SANJAY LOKHANDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for Petitioner : Mr. Vishnu B. Madan
AGP for Respondent No.1: Mr. A.S. Shinde
Advocate for Respondent No.2 : Mr. M.D. Narwadkar
Advocate for Respondent No.3 : Ms. Neha B. Kamble h/f Mr. S.V. Adwant

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 19 AUGUST 2023

PER COURT :

. Heard the learned Advocate for the petitioner, learned AGP, learned Advocate Mr. Narwadkar for respondent no.2 and Ms. Kamble for the respondent no.3/College.

2. The petitioner who is seeking admission through the State Common Entrance Test Cell in the law course, is aggrieved by the fact that in spite of she possessing a certificate of validity of Scheduled Caste category, her candidature is not being considered rather the College has refused to grant admission solely on the ground that she does not possess a caste certificate.

3. The learned Advocate for the petitioner submits that there was discrepancy in the caste certificate possessed by her and the date mentioned in the certificate of validity, regarding the date of issuance of that caste certificate, though the serial number was the same. He submits that because of this discrepancy, her candidature has been rejected. He further submits that subsequently he has obtained a clarification from the Scrutiny Committee constituted under the Maharashtra Act No. XXIII of 2001 on 11.08.2023, clarifying that it was an error in mentioning the date in the certificate of validity.

4. Mr. Narwadkar, learned Advocate for the respondent no.2 and Ms. Kamble, learned Advocate for respondent no.3 submit that only because of this discrepancy the petitioner was not fulfilling the requisite conditions and her candidature was rejected.

5. Admittedly, the admission process is still open for the fourth round. It appears that the petitioner has applied even in the fourth round and now even possess the corrigendum issued by the Scrutiny Committee on 11.08.2023. In our considered view, the doubt being entertained by the respondents regarding the genuineness of the certificate of validity and the petitioner's claim as belonging to a particular caste has been put to rest by the corrigendum issued by the Scrutiny Committee.

6. We allow the writ petition, direct the respondent no.2 and 3 to

allow the petitioner's candidature to be considered for the fourth round by taking into consideration the corrigendum issued by the Scrutiny Committee on 11.08.2023.

7. The petitioner is also permitted to tender a copy of the caste certificate by Tuesday i.e. 22.08.2023.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb.