

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

WRIT PETITION NO. 11937 OF 2023

Prerna Baliram Kumbharwad,
Age : 18 Years, Occu. : Education,
R/o Chidgiri, Tq. Bhokar,
Dist. Nanded.

.. Petitioner

Versus

1. The State Of Maharashtra
Through Its Secretary
Medical Education Department Mantralaya
Mumbai.
2. The Scheduled Tribe Caste Certificate
Verification Committee Through
Its Dy. Director (R) Kinwat At
Aurangabad District Aurangabad.
3. The Sub Divisional Officer Bhokar
Bhokar District Nanded.
4. The Commissioner Commissionerate of
Common Entrance Test Cell Government
of Maharashtra 8th Floor New Excelsior
Building A. K. Naik Marg Fort Mumbai.
5. The Secretary Admission Regulation
Authority Government of Maharashtra
9th Floor New Excelsior Building A. K.
Naik Marg Fort Mumbai.
6. The Dean Hinduhridaysamrat Balasaheb
Thackeray Medical College,
15 Bhakti Vedanta Swami Road Jvpd
Scheme Juhu Mumbai.

.. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.
Shri S. G. Sangle, A.G.P. for the Respondent Nos. 1 to 3.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 26 SEPTEMBER 2023.**

FINAL ORDER :

. Heard the learned advocate for the petitioner and the learned Assistant Government Pleader for the respondent Nos. 1 to 3.

2. The petitioner is faced with the situation wherein she possesses certificate of validity and has also secured admission in the current admission process for medical education in the respondent No. 6/College against a reserved seat. It is now being alleged that since the petitioner's first name in several official documents is spelt as 'Prerna', the certificate of validity mentions her first name as 'Prerana' and the college has now raised an objection about it.

3. It does appear that the petitioner had obtained the tribe certificate in Form C with incorrect spelling Prerana, which error seems to have been perpetuated while issuing certificate of validity to her. It appears that petitioner's correct name is Prerna, however, due to the error committed by her while submitting application seeking tribe certificate, the certificate of validity has been issued accordingly which cannot be faulted with.

4. If it is simple matter of error apparently, we see no reason not to concede the request of the petitioner which is innocuous one. Only to enable the things to be set right, we feel that it is not necessary to hear the respondent Nos. 5 and 6.

5. The petitioner has already submitted fresh application with the respondent No. 3/competent authority under the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes, (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and verification of) Caste Certificate Act, 2000 on 21 September 2023 with the corrected first name. However, for want of original certificate which is in possession of the respondent No. 6/college, further process would be stuck up.

6. In the circumstances, we dispose of the writ petition with the following directions.

(i) The respondent No. 6/College shall immediately return the original certificates to the petitioner, which she shall surrender before the respondent No. 3/Competent Authority, whereupon the latter shall immediately issue her a fresh tribe certificate in Form C in corrected name. The petitioner shall also submit the original certificate of validity to the respondent No. 2/Scrutiny Committee.

(ii) The petitioner shall thereafter tender such freshly issued tribe certificate to the respondent No. 2/Scrutiny Committee, which shall thereafter issue a fresh certificate of validity to her in the corrected name immediately.

(iii) Till the time the petitioner is issued with certificate of validity with corrected name, the copy of the certificate of validity in incorrect name shall for all practical purposes be treated by all the respondents as the certificate of validity.

(iv) Parties to act on authenticated copy of this order.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/Sept. 23