

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13402 OF 2023

Balaji Ashok Bhise and Anr. ... Petitioners.

V/s.

The State of Maharashtra and Ors. ... Respondents.

.....

Mr. Vikas Kolekar for the Petitioners.

Ms R. A. Salunkhe, AGP for Respondent Nos. 1, 2, 4 and 5.

Mr. Rui Rodrigues for Respondent No. 3.

.....

**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 31 October 2023.

P.C. :

The grievance of the Petitioners is that the certificate issued to Respondent No.6 as belonging to Economically Weaker Section (EWS) is fraudulent and the same be cancelled and in place of Respondent No. 6, the admission to the seat be given to the Petitioners. Before filing the Petition, the Petitioners had made a generalised representation stating that some persons do not have the requisite EWS Certificates. There is no reference to Respondent No. 6 in this representation.

2 Today, the learned Counsel for the Petitioners states that the EWS Certificate issued to Respondent No. 6 is cancelled on 19 October 2023, the day when writ petition is filed. If this is the position as stated by the Petitioners, the Petitioners will have to make a specific representation to the concerned authorities, that as per the merit list, it is the Petitioners who should be given admission in place of Respondent No. 6, who according to the Petitioners, is no longer qualified. Once such a representation is made, the Respondent-Authority will look into the representation as per law, if permissible and if due to the cut of date stipulated the seat has not lapsed.

3 The writ petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)