

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.12729 OF 2024**

|                                                      |   |                |
|------------------------------------------------------|---|----------------|
| Aradhya Yogesh Bana                                  | ] |                |
| R/of Alibag, Dist. Raigad                            | ] | .. Petitioner  |
| <b><i>Versus</i></b>                                 |   |                |
| 1. State of Maharashtra,                             | ] |                |
| Through Medical Education and Drugs Department       | ] |                |
| 2. Maharashtra University of Health Sciences, Nashik | ] |                |
| 3. Directorate of Medical Education and Research     | ] |                |
| Maharashtra State, Mumbai                            | ] |                |
| 4. Commissioner and Competent Authority,             | ] |                |
| State CET Cell, Fort, Mumbai                         | ] |                |
| 5. Dean, Lokmanya Tilak Medical College, Mumbai      | ] |                |
| 6. Scheduled Tribe Certificate Scrutiny Committee,   | ] |                |
| Charai, Dist. Thane                                  | ] | .. Respondents |

Mr. C.K. Bhangoji, Advocate for the Petitioner.

Mr. N.C. Walimbe, Additional Government Pleader, with Mr. N.K. Rajpurohit, Assistant Government Pleader for the Respondent-State of Maharashtra.

Ms. Kavita N. Solunke, Assistant Government Pleader for Respondent No.3-CET.

Mr. V.S. Talkute, Advocate for Respondent No.5.

**CORAM : A.S. CHANDURKAR &  
RAJESH S. PATIL, JJ**

**DATE : 5<sup>TH</sup> SEPTEMBER, 2024.**

**ORAL JUDGMENT : { Per A.S. Chandurkar, J. }**

1. The petitioner intends to pursue Five Year M.B.B.S. Course at the respondent no.5-College. The petitioner claims she belong to “Koli Mahadev” Scheduled Tribes and her father has been issued a Caste Validity

Certificate on 16<sup>th</sup> February 2021. The proceedings for issuance of Caste Validity Certificate to the petitioner are pending with the respondent no.6-Committee. In that backdrop, it is the case of the petitioner that directions be issued to the respondent no.5-College to grant her admission for the First Year M.B.B.S. Course in the academic year 2024-25 without insisting on a Caste Validity Certificate. The petitioner seeks to rely upon the Government Resolution dated 22<sup>nd</sup> July 2024 which grants time of six months to submit Caste Validity Certificate while undertaking admission in professional courses.

2. We have heard the learned counsel for the petitioner as well as the learned Additional Government Pleader for respondent nos.1, 2 and 4. Service on respondent nos.3 and 5 is dispensed with in view of the fact that the Government Resolution dated 22<sup>nd</sup> July 2024 extending the time to submit Caste Validity Certificate is in operation.

3. We find that firstly the petitioner's father has been issued a Caste Validity Certificate on 16<sup>th</sup> February 2021. The petitioner's claim for grant of Caste Validity Certificate is pending with the Scrutiny Committee. However, in view of the Government Resolution dated 22<sup>nd</sup> July 2024, time of six months has been granted to submit such Caste Validity Certificate. Though the learned Additional Government Pleader submits that a clarification has been sought by the State Common Entrance Test

Cell with regard to applicability of this Government Resolution, as of today the same continues to operate. We therefore find that the petitioner is entitled for appropriate relief.

4. Accordingly, the following directions are issued :

- (i) The respondent no.5-College shall consider the claim of the petitioner for admission to the First Year M.B.B.S. Course for academic year 2024-25 without insisting on the petitioner's Caste Validity Certificate.
- (ii) The Scrutiny Committee shall within a period of four months from receipt of copy of this order decide the petitioner's caste claim that has been made pursuant to application dated 19<sup>th</sup> January 2024.

5. Rule is disposed of in aforesaid terms.

6. Parties to act on authenticated copy of this order.

[ RAJESH S. PATIL, J. ]

[ A.S. CHANDURKAR, J. ]