

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12828 OF 2024

Rajwardhan s/o. Rajesh Rajwade

... Petitioner

Versus

The State of Maharashtra and Others

... Respondents

....

Mr.Sushant Yeramwar for the Petitioner.

Mr.S.H.Kankal, AGP for the Respondent -State.

....

CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.

DATE : 09 SEPTEMBER 2024

P.C.:

Leave is granted to join State Common Entrance Test Cell as a party Respondent. Leave is also granted to change the name of Respondent No. 3. Amendment to be carried out forthwith.

2. The Petitioner has challenged the order passed by the Respondent – Scrutiny Committee invalidating the caste certificate of the Petitioner as belonging to Thakur Scheduled Tribe. The Petitioner is a student who has been given admission to engineering course on a condition that the Petitioner produces caste validity certificate by today. The Petitioner makes a grievance of granting extremely short time to approach the Court to put up the case

effectively.

3. We have perused the record. The Petitioner has relied on the documents prior to 1950 of his relatives. *Prima facie* arguable case is made out.

4. The Petitioner will give notice to unrepresented Respondents and file affidavit of service.

5. Stand over to **30 September 2024**.

6. Time granted to the Petitioner to produce validity certificate is extended to **3 October 2024**. This extension will not create equities in favour of the Petitioner in view of Section 10 of the 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 and the law laid down by the Hon'ble Supreme Court in the case of *Chairman and Managing Director, Food Corporation of India & Ors. Versus Jagdish Balaram Bahira & Ors.*¹

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)

¹ 2017 (8) SCC 670