

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

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WRIT PETITION NO.18481 OF 2024

Vaishnavi Lahu Kolekar .. Petitioner
Vs.
State of Maharashtra & Ors. .. Respondents

Mr. J. D. Khairnar with Mr. Vikas Shivarkar, Advocates for the Petitioner.

Mr. Sameer Khedekar with Ms. Bharati Gerella, Advocates for the Respondent No.5.

Mr. N. C. Walimbe, Additional Government Pleader with Mrs. D. S. Deshmukh, Assistant Government Pleader for the respondent-State.

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

DATE : 12TH DECEMBER 2024.

P.C. :

1. The petitioner has secured admission in the First Year Bachelor of Engineering (Computer Engineering) Course under the Economical Weaker Sections-EWS Category at the respondent no.6-College. On an application being made for issuance of EWS certificate, the same was issued to the petitioner on 05/09/2024 by the Tahsildar. It however appears that in the meanwhile since there was a change in the format of that certificate, the State Common Entrance Test Cell required such certificate to be submitted in Proforma V. Since the petitioner is facing a threat to her education on this count, she has approached this Court.

2. Pursuant to the instructions received from the Tahsildar, the learned Additional Government Pleader submits that in view of Government Resolution dated 11/03/2024, it would be necessary for the petitioner to obtain the EWS certificate in the prescribed format. The learned counsel appearing for the State CET Cell submits that with a view to enable students to secure such EWS certificates in the prescribed format, the Admission Regulating Authority has extended the time to submit the same by ninety days.

3. Having perused the documents on record, we find that an EWS certificate was issued to the petitioner by the Tahsildar on 05/09/2024. After the petitioner was admitted in the EWS Category, the proforma of certificate has undergone a change. The petitioner cannot be blamed for the EWS certificate issued to her by the Tahsildar since that is the matter to be looked into by the Tahsildar. In these facts, the admission of the petitioner secured in the said category is not liable to be cancelled. In our view, the following directions would serve the ends of justice:-

i) The respondent no.6-College shall permit the petitioner to pursue her studies having been admitted in EWS quota.

ii) The petitioner within a period of 10 days from

today shall make a fresh application before the Tahsildar for being issued an EWS certificate in Proforma V. On such application being received, the Tahsildar shall issue the requisite EWS certificate since an earlier certificate has already been issued in the earlier format on 05/09/2024. On the same being issued, the petitioner shall submit it to the College which in turn would forward the same to the Admission Regulating Authority. It is clarified that the admission of the petitioner under the EWS category shall not be cancelled for this reason. With aforesaid directions, the writ petition is disposed of.

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

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]